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UNITED STATES

OF

AMERICA.

IN FOUR VOLUMES.

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BRITISH MUSEUM

ACTS

PASSED AT

THE FIRST SESSION

OF THE

FIFTH CONGRESS

OF THE

United States of America,

BEGUN AND HELD AT THE CITY OF PHILADELPHIA,

In the State of Pennſylvania,

On Monday the fifteenth of May,

IN THE YEAR M,DCC,XCVII.

AND OF THE

Independence of the United States,

THE TWENTY-FIRST.

PHILADELPHIA:

PRINTED BY RICHARD FOLWELL,

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A C T S

PASSED AT

THE FIRST SESSION

OF THE

FIFTH CONGRESS

OF THE

United States of America,

BEGUN AND HELD AT THE CITY OF PHILADELPHIA,

In the State of Pennsylvania,

On Monday the Fifteenth of May,

IN THE YEAR M,DCC,XCVII.

AND OF THE

Independence of the United States,

THE TWENTY-FIRST.

PHILADELPHIA:

PRINTED BY RICHARD FOLWELL,

No. 69, CHESTNUT-STREET.

BRITISH MUSEUM

ACTS OF CONGRESS.

CHAPTER I.

An Act to prevent Citizens of the United States from privateering againſt Nations in Amity with, or againſt Citizens of the United States.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That if any citizen or citizens of the United States, ſhall, without the limits of the ſame, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or ſhall knowingly aid, or be concerned in the furniſhing, fitting out or arming, any private ſhip or veſſel of war, with intent that ſuch ſhip or veſſel ſhall be employed to cruize or commit hoſtilities, upon the ſubjects, citizens, or property of any prince or ſtate with whom the United States are at peace, or upon the citizens of the United States or their property, or ſhall take the command of, or enter on board of, any ſuch ſhip or veſſel for the intent aforeſaid, or ſhall purchaſe an intereſt in any veſſel ſo fitted out and armed, with a view to ſhare in the profits thereof, ſuch perſon or perſons, ſo offending, ſhall, on con vic-

Citizens fitting out or concerned therein, how puniſhed and fined.

tion thereof, be adjudged guilty of a high misdemeanor, and shall be punished by a fine not exceeding ten thousand dollars, and imprisonment not exceeding ten years: And the trial for such offence, if committed without the limits of the United States, shall be in the district where the offender shall be apprehended or first brought.

Construction of this act.

Sec. 2. *And be it further enacted*, That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by a treaty or other law of the United States.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, June fourteenth, 1797:

JOHN ADAMS,
President of the United States.

CHAPTER II.

An Act prohibiting, for a limited Time, the Exportation of Arms and Ammunition, and for encouraging the Importation thereof.

Exportation of cannon, &c. unlawful.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall not be lawful to export from the United States, any cannon, muskets, pistols, bayonets, swords, cutlasses, musket-balls, lead,

bombs, grenados, gun-powder, ſulphur, or ſalt-petre, but the exportation of all the aforeſaid articles is hereby prohibited, until to the end of the next ſeſſion of Congreſs, and no longer.

Veſſels exporting the ſame to be forfeited.

Sec. 2. *And be it further enacted*, That any of the aforeſaid articles, excepting ſuch of them as may conſtitute a part of the equipment of any veſſel, which during the continuance of this prohibition ſhall be found on board of any veſſel in any river, port, bay, or harbour within the territory of the United States, put on board with an intent to be exported from the United States, ſhall be forfeited, and in caſe the value thereof ſhall amount to one hundred dollars, the veſſel on board of which the ſame ſhall be ſeized, together with her tackle, apparel and furniture, ſhall alſo be forfeited. *Provided nevertheleſs*, That nothing in this act ſhall be conſtrued to prohibit the removal or tranſportation of any of the articles aforeſaid from one port to another port within the United States, in any veſſel having a licenſe as a coaſting veſſel, the maſter, agent or owner of which ſhall have given bond with one or more ſufficient ſureties, to the collector of the diſtrict from which ſuch veſſel is about to depart, in a ſum double the value of ſuch veſſel and of ſuch the ſaid articles as may be laden on board of her, that the ſaid articles ſhall be re-landed and delivered in ſome port of the United States. Or to prevent the exportation of any of the above articles on public account under the direction of the Preſi- of the United States.

Prohibition not to extend to removal of ſuch articles.

Sec. 3. *And be it further enacted*, That if any of the articles aforeſaid ſhall, contrary to

When master of vessel shall be liable to indictment.

the prohibitions of this act, be exported from the United States, the vessel in which the same shall have been exported, together with her tackle, apparel and furniture, shall be forfeited, and the captain or master of such vessel knowingly offending in the premises, shall be liable to indictment, and upon conviction, shall forfeit and pay a sum not exceeding one thousand dollars, which shall be distributed in like manner as is herein-after provided as to other forfeitures incurred under this act.

Duty of custom-house officers herein.

Sec. 4. *And be it further enacted*, That it shall be the duty of the custom-house officers, and of all persons employed in the collection of the revenue, to attend to the execution of this law, and all forfeitures, and penalties incurred under it and not otherwise directed to be prosecuted and recovered, shall be sued for, prosecuted, adjudged and distributed in like manner as is provided in the act, intitled, "An Act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ships and vessels."

Such articles may be imported free of duty.

Sec. 5. *And be it further enacted*, That all brass cannon, muskets and firelocks with bayonets suited to the same, pistols, swords, cutlasses, musket-balls, lead, and gun-powder, which shall be imported into the United States from any foreign country, within the term of one year, and all sulphur and salt-petre which shall be so imported within the term of two

years from and after the passing of this act, shall be free of duty, any thing in any former law to the contrary notwithstanding.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, June fourteenth, 1797:

JOHN ADAMS,
President of the United States.

CHAPTER III.

An Act to provide for the further Defence of the Ports and Harbours of the United States.

Appropriation of 115,000 dollars for fortifying ports;

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for fortifying certain ports and harbours of the United States, there be appropriated a sum not exceeding one hundred and fifteen thousand dollars.

Sec. 2. *And be it further enacted,* That the said appropriation shall be paid and discharged out of the surplus of the revenue and income beyond the appropriations heretofore charged thereon.

out of which funds payable debtor states may expend under direction of the Presi-

Sec. 3. *And be it further enacted,* That the President of the United States be, and he is hereby empowered to authorize any of the states which were found indebted to the United States in a settlement of the accounts between them and the respective states, to expend under his direction, the sums respectively

dent, the sums due from them,

due from them, in fortifying their ports and harbours; and the sums which may be so expended, shall be passed to the credit of the said states, on account of the balances found and reported by the commissioners for settling the accounts between the United States and the individual states, to be due from the said states to the United States. *Provided*, the said states shall and do cede to the United States the lands or places on which such fortifications shall be so erected, in cases where the lands are the property of such states.

provided they cede the lands

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

United States, June 23, 1797:
APPROVED, JOHN ADAMS,
President of the United States.

CHAPTER IV.

An Act authorizing a Detachment from the Militia of the United States.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and is hereby authorized to require of the executives of the several states, to take effectual measures, at such time as he shall deem necessary, to organize, arm and equip, according to law, and hold in readiness to march at a moment's warning, the following propor-

80,000 militia to be held in readiness.

tions, reſpectively, of eighty thouſand effective militia, officers included, to wit: From the State of Tenneſſee, eight hundred and ſix: From the State of Georgia, one thouſand three hundred and thirty-four: From the State of South Carolina, three thouſand five hundred and thirty-five: From the State of North Carolina, ſeven thouſand two hundred and ſixty-eight: From the State of Kentucky, one thouſand five hundred and forty-two: From the State of Virginia, eleven thouſand one hundred and fifty: From the State of Maryland, five thouſand, two hundred and ſixty-two: From the State of Delaware, one thouſand one hundred and ſixty-eight: From the State of Pennſylvania, ten thouſand ſix hundred and ninety-ſix: From the State of New Jerſey, four thouſand two hundred and eighty-ſix: From the State of New-York, ſeven thouſand nine hundred and twenty-three: From the State of Vermont, two thouſand one hundred and fifty: From the State of Connecticut, five thouſand eight hundred and ſixty: From the State of Rhode-Iſland, one thouſand ſix hundred and twenty-ſix: From the State of Maſſachuſetts, eleven thouſand eight hundred and thirty-ſix: From the State of New Hampſhire, three thouſand five hundred and fifty-eight.

Proportion of each ſtate.

Sec. 2. *And be it further enacted*, That the Preſident may, if he judges expedient, authorize the Executives of the ſeveral States, to accept any independent corps of cavalry, artillery or infantry, as part of the detachments aforeſaid, provided they ſhall voluntarily engage as corps in the ſervice.

The Preſident may authorize the ſtate executives to receive independent corps

Sec. 3. *And be it further enacted*, That the ſaid militia ſhall not be compelled to ſerve a

Limitation of ſervice,

longer time, in any one tour, than three months, after their arrival at the place of rendezvous: And that during the time of their ſervice, the Commiſſioned Officers ſhall be entitled to the ſame pay and rations that are allowed by law, to officers of the ſame rank, on the military eſtabliſhment of the United States; and the non-commiſſioned officers, muſicians, and privates ſhall receive the pay and allowance for cloathing, eſtabliſhed by an Act, entitled "an Act to regulate the pay of the non-commiſſioned officers, muſicians, and privates of the militia of the United States, when called into actual ſervice, and for other purpoſes."

pay and ſubſiſtence;

allowance for cloathing.

Sec. 4. *And be it further enacted*, That this Act ſhall continue, and be in force, for the ſpace of one year from the paſſing thereof, and from thence to the end of the next ſeſſion of Congreſs, and no longer.

This act to be in force one year.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June twenty-fourth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER V.

An Act in Addition to an Act, intitled "An Act concerning the regiſtering and recording of Ships and Veſſels."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That no ſhip or veſſel which has been, or ſhall be regiſtered, purſuant to any law of the United States, and which hereafter ſhall be ſeized, or captured and condemned, under the authority of any foreign power, or that ſhall by ſale become the property of a foreigner or foreigners, ſhall, after the paſſing of this Act, be entitled to, or capable of receiving a new regiſter, notwithſtanding ſuch ſhip or veſſel ſhould afterwards become American property; but that all ſuch ſhips and veſſels ſhall be taken and conſidered, to all intents and purpoſes, as foreign veſſels: Provided, that nothing in this act contained, ſhall extend to, or be conſtrued to affect the perſon or perſons owning any ſhip or veſſel, at the time of the ſeizure, or capture of the ſame, or ſhall prevent ſuch owner, in caſe he regain a property in ſuch ſhip or veſſel, ſo condemned, by purchaſe or otherwiſe, from claiming and receiving a new regiſter for the ſame, as he might or could have done, if this Act had not been paſſed.

Veſſels of U. States captured and condemned under any foreign power, or ſold to a foreigner, ſhall not receive a new regiſter.

Proviſo.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June twenty-ſeventh, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER VI.

An Act directing the Appointment of Agents, in Relation to the ſixth Article of the Treaty of Amity, Commerce and Navigation, between the United States and Great Britain.

Agent to be appointed to act on part U. States, under direction of Attorney-General, before the commiſſioners under 6th article of treaty with G. Britain.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States be, and hereby is authorized, by and with the advice and conſent of the Senate, to appoint a proper perſon to act in behalf of the United States, under the direction of the Attorney-general, in relation to ſuch claims as may be made againſt the United States, before the Commiſſioners apppointed to carry into effect the ſixth article of the treaty of amity, commerce and navigation, between the United States of America and his Britannic majeſty. And it ſhall be the duty of the Attorney-general, to counſel ſuch agent, and to attend before the ſaid commiſſioners, whenever any queſtions of law, or fact, to be determined by them, ſhall render his aſſiſtance neceſſary.

Duty of Attorney-Geneaal herein;

authorized to employ agents in diffrent parts of the U. S.

Sec. 2. *And be it further enacted*, That the Attorney-general be, and is hereby authoriſed to employ ſuch agents, in different parts of the United States, as the buſineſs before the ſaid commiſſioners, in his opinion, ſhall make neceſſary, to be paid according to their ſervices, at ſuch rate as the Preſident of the United States ſhall direct.

additional compenſation.

Sec. 3. *And be it further enacted*, That during the continuance of the ſervice to be performed under this act, the Attorney-general ſhall be entitled to an additional compen-

ſation of ſix hundred dollars per annum, and the perſon hereby directed to be appointed, to a compenſation at the rate of two thouſand dollars per annum.

Sec. 4. *And be it further enacted*, That for enabling the Preſident of the United States, to defray the expenſes to be incurred under, and by this Act, a ſum not exceeding ten thouſand dollars be, and hereby is appropriated, to to be paid out of any monies not otherwiſe appropriated. Appropriation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June thirtieth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER VII.

An Act providing a Naval Armament.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States be, and he is hereby empowered, ſhould he deem it expedient, to cauſe the Frigates, United States, Conſtitution and Conſtellation, to be manned and employed. Preſident may man and employ the frigates;

Sec. 2. *And be it further enacted*, That there ſhall be employed on board each of the ſhips of forty-four guns, one captain, four lieutenants, two lieutenants of marines, one chaplain, their commiſſioned officers.

one ſurgeon, and two ſurgeon's mates; and in the ſhip of thirty-ſix guns, one captain, three lieutenants, one lieutenant of marines, one ſurgeon, and one ſurgeon's mate.

Warrant officers.

Sec. 3. *And be it further enacted*, That there ſhall be employed in each of the ſaid ſhips, the following warrant officers, who ſhall be appointed by the Preſident of the United States, to wit: one ſailing maſter, one purſer, one boatſwain, one gunner, one ſail-maker, one carpenter, and eight midſhipmen; and the following petty officers, who ſhall be appointed by the captains of the ſhips reſpectively, in which they are to be employed, viz. two maſters' mates, one captain's clerk, two boatſwains' mates, one cockſwain, one ſale-maker's mate, two gunners' mates, one yeoman of the gun-room, nine quarter gunners, (and for the two large ſhips two additional quarter gunners) two carpenters' mates, one armourer, one ſteward, one cooper, one maſter-at-arms, and one cook.

Crews.

Sec. 4. *And be it further enacted*, That the crews of each of the ſhips of forty-four guns, ſhall conſiſt of one hundred and fifty ſeamen, one hundred and three midſhipmen and ordinary ſeamen, three ſerjeants, two corporals, one drum, one fife, and fifty marines; and that the crew of the ſhip of thirty-ſix guns ſhall conſiſt of one hundred and thirty able ſeamen and midſhipmen; ninety ordinary ſeamen, two ſerjeants, two corporals, one drum, one fife, and forty marines, over and above the officers herein before mentioned.

Pay and ſubſiſtence

Sec. 5. *And be it further enacted*, That the pay and ſubſiſtence of the reſpective commiſſioned and warrant officers, be as follows: A captain, ſeventy-five dollars per month, and

ſix rations per day; a lieutenant, forty dollars per month, and three rations per day; a lieutenant of marines, thirty dollars per month, and two rations per day; a chaplain, forty dollars per month, and two rations per day; a ſailing maſter, forty dollars per month, and two rations per day; a ſurgeon, fifty dollars per month, and two rations per day; a ſurgeon's mate, thirty dollars per month, and two rations per day; a purſer, forty dollars per month, and two rations per day; a boatſwain, twenty dollars per month, and two rations per day; a gunner, twenty dollars per month, and two rations per day; a ſail-maker, twenty dollars per month, and two rations per day; a carpenter, twenty dollars per month, and two rations per day. Pay and ſubſiſtence.

Sec. 6. *And be it further enacted*, That the pay to be allowed to the petty officers, midſhipmen, ſeamen, ordinary ſeamen and marines, ſhall be fixed by the Preſident of the United States: *Provided*, That the whole ſum be given for the whole pay aforeſaid, ſhall not exceed fifteen thouſand dollars per month, and that each of the ſaid perſons ſhall be entitled to one ration per day. Preſident to fix the pay to petty officers, &c.

Sec. 7. *And be it further enacted*, That the ration ſhall conſiſt of as follows: Sunday, one pound of bread, one pound and an half of beef, and half a pint of rice: Monday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheeſe: Tueſday, one pound of bread, one pound and an half of beef, and one pound of potatoes, or turnips and pudding: Wedneſday, one pound of bread, two ounces of butter, or in lieu thereof, ſix ounces of molaſſes, four ounces of cheeſe, and half a pint of rice: Ration.

Thurſday, one pound of bread, one pound of pork, and half a pint of peas or beans: Friday, one pound of bread, one pound of ſalt fiſh, two ounces of butter, or one gill of oil, and one pound of potatoes: Saturday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheeſe; and there ſhall alſo be allowed one half pint of diſtilled ſpirits per day, or in lieu thereof, one quart of beer per day, to each ration.

By what rules to be governed.

Sec. 8. *And be it further enacted*, That the officers, non-commiſſioned officers, ſeamen, and marines, belonging to the navy of the United States, ſhall be governed by the rules for the regulation of the navy heretofore eſtabliſhed by the reſolution of Congreſs of the twenty-eighth of November, one thouſand ſeven hundred and ſeventy-five, as far as the ſame may be applicable to the conſtitution and laws of the United States, or by ſuch rules and articles as may hereafter be eſtabliſhed.

The Preſident may make the appointments alone in receſs of the Senate.

Sec. 9. *And be it further enacted*, That the appointment of the officers to the frigates may be made by the Preſident alone in the receſs of the Senate; and their commiſſions, if ſo appointed, ſhall continue in force till the advice and conſent of the Senate can be had thereupon at their next meeting which may happen thereafter.

Sec. 10. *And be it further enacted*, That the ſeamen and marines ſhall not be engaged to ſerve on board the frigates, for a period exceeding one year; but the Preſident may diſcharge the ſame ſooner if in his judgment their ſervices may be diſpenſed with.

Term of Service.

Sec. 11. *And be it further enacted*, That if any officer, non-commiſſioned officer, marine,

or ſeaman belonging to the navy of the United States, ſhall be wounded or diſabled, while in the line of his duty in public ſervice, he ſhall be placed on the liſt of the invalids of the United States, at ſuch rate of pay, and under ſuch regulations as ſhall be directed by the Preſident of the United States. *Provided always*, That the rate of compenſation to be allowed for ſuch wounds or diſabilities to a commiſſioned or warrant officer ſhall never exceed for the higheſt diſability half the monthly pay of ſuch officer at the time of his being ſo diſabled or wounded; and that the rate of compenſation to non-commiſſioned officers, marines and ſeamen, ſhall never exceed five dollars per month: *And provided alſo*, That all inferior diſabilities ſhall entitle the perſon ſo diſabled to receive an allowance proportionate to the higheſt diſability.

Proviſion in caſe of wounds.

Limitation of the compenſation in caſe of wounds.

Sec. 12. *And be it further enacted*, That the Preſident of the United States be, and he is hereby authorized, if circumſtances ſhould hereafter ariſe, which in his opinion may render it expedient to increaſe the ſtrength of the ſeveral revenue-cutters, ſo that the number of men employed do not exceed thirty marines and ſeamen to each cutter; and cauſe the ſaid revenue cutters to be employed to defend the ſea-coaſt, and to repel any hoſtility to their veſſels and commerce, within their juriſdiction, having due regard to the duty of the ſaid cutters, in the protection of the revenue.

Preſident may increaſe the ſtrength of the cutters.

Sec. 13. *And be it further enacted*, That the compenſations eſtabliſhed by the firſt ſection of the act paſſed on the ſixth day of May, one thouſand ſeven hundred and ninety-ſix, entitled, "an act making further proviſion relative to the revenue cutters," be, and the ſame

Act making compenſation to their officers and men, continued.

is hereby continued and confirmed, on the terms and conditions of the ſaid act, to the mariners and marines, who are, or may be employed as aforeſaid.

Limitation of this act.

Sec. 14. *And be it further enacted*, That this act ſhall continue in force for the term of one year, and from thence to the end of the then next ſeſſion of Congreſs and no longer.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, July firſt, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER VIII.

An Act to aſcertain the Time for the next Meeting of Congreſs, and to repeal the Act heretofore paſſed for that Purpoſe.

Congreſs to meet 2d Monday of Nov. 1797.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That after the end of the preſent ſeſſion, the next meeting of Congreſs ſhall be on the ſecond Monday of November, in the preſent year.

Sec. 2. *And be it further enacted*, That the act, intituled, "An act to alter the time for the next meeting of Congreſs," paſſed on the

third day of March laſt, be and the ſame is hereby repealed.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, July the firſt, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER IX.

An Act for reviving and continuing Suits and Proceſs in the Circuit-Court for the Diſtrict of North-Carolina.

WHEREAS, a ſufficient quorum of judges did not attend to hold the circuit-court, for the diſtrict of North-Carolina, for the purpoſe of doing buſineſs in June term, one thouſand ſeven hundred and ninety-ſeven, in conſequence whereof, certain proviſions are now become neceſſary and expedient, to prevent a failure of juſtice in the ſaid court.

Sec. 1. *Be it therefore enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That it ſhall, and may be lawful for the diſtrict judge of the ſtate of North-Carolina, to direct the clerk of the ſaid court, to iſſue ſuch proceſs for the purpoſe of cauſing perſons to be ſummoned to ſerve as jurymen at the ſaid court, at the term

How diſtrict judge Carolina, ſhall cauſe jurymen to be ſummoned for Nov. term.

to commence the thirtieth day of November next, as has been before iſſued by the clerk of the ſaid court, for the like purpoſe, returnable to June term, one thouſand ſeven hundred and ninety-ſeven; that the perſons ordered by the ſaid proceſs, to be ſummoned for the ſaid purpoſe, ſhall be ordered to be ſummoned in the ſame proportion, and from the ſame counties, as thoſe perſons who were ordered to be ſummoned for the like purpoſe, by proceſs returnable at June term, one thouſand ſeven hundred and ninety-ſeven: *Provided*, that if it ſhall appear expedient to the ſaid diſtrict judge, that a different time of notice ſhall be preſcribed, than that hitherto preſcribed, he may cauſe ſuch other time of notice to be directed to be given, as to him ſhall appear moſt conducive to juſtice, and convenient to the perſons to be ſummoned: And the marſhal is hereby directed to execute the ſaid proceſs, ſo to be iſſued; and the perſons who ſhall be legally ſummoned to attend as jurymen, in conſequence thereof, are hereby required to attend the ſaid court, under the like penalties for diſobedience, as if the ſaid proceſs had been ordered to be iſſued by the ſaid court, in the ordinary method of proceeding; and the marſhal and the perſons who ſhall attend as jurymen, in virtue of the ſaid proceſs, ſo to be iſſued, ſhall be entitled to the like allowances for their ſervices, reſpectively.

Proviſo.

Marſhal to execute proceſs.

Sec. 2. *And be it further enacted*, That all ſuits and proceedings, of what nature or kind ſoever, which have been commenced in the ſaid court, and not finiſhed, ſhall be proceeded on at the enſuing term, in the ſame manner, and to the ſame effect, as if the ſaid circuit-court had been regularly held for the

How ſuits and proceedings ſhall be proceeded on.

purpoſe of buſineſs in June term, one thouſand ſeven hundred and ninety-ſeven, and continuances had been regularly entered, of all ſuits and proceedings, of the ſaid term, in which they were depending, in the uſual manner of proceeding, as the caſe might be.

All writs, &c. deemed of ſame validity as if June term had been regularly held.

Sec. 3. *And be it further enacted*, That all writs and other proceſs ſued out of the clerk's office of the ſaid circuit-court, according to the accuſtomed method, bearing teſt in November term, one thouſand ſeven hundred and ninety-ſix, or June term, one thouſand ſeven hundred and ninety-ſeven, ſhall be held and deemed of the ſame validity and effect as if the term of June, one thouſand ſeven hundred and ninety-ſeven, had been regularly held by a judge or judges competent to do buſineſs, and continuances in reſpect to writs or other proceſs returnable to the laſt-mentioned term, had been regularly entered.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, July fifth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER X.

An Act to continue in Force to the End of the next Seſſion, certain Acts, and Parts of Acts, of limited Duration.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That all laws of the

Certain laws declared in force till the end of next session.

United States, and parts of laws now in force, and which, by the terms of their limitation, will expire with the end of this session of Congress, shall be, and hereby are continued in force, until the end of the next session.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, July fifth, 1797:

JOHN ADAMS,
President of the United States.

CHAPTER XI.

An Act laying Duties on stamped Vellum, Parchment, and Paper.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the thirty-first day of December next, there shall be levied, collected and paid throughout the United States, the several stamp duties following, to wit: For every skin or piece of vellum, or parchment, or sheet or piece of paper upon which shall be written or printed any or either of the instruments or writings following, to wit: any certificate of naturalization, five dollars: any license to practice or certificate of the admission, enrollment or registry of any counsellor, solicitor, attorney, advocate, or proctor in any court of the United States, the sum of ten dollars; any grant or letters patent under

Rate of duties on stamped vellum, &c. on 1st Jan. 1798.

Certain certificates.

the ſeal or authority of the United States, except for lands granted for military ſervices, four dollars; any exemplification or certified copy of any ſuch grant or letters patent, two dollars; any charter party, bottomry, or reſpondentia bond, one dollar; any receipt or other diſcharge for or on account of any legacy left by any will or teſtamentary inſtrument, or for any ſhare or part of a perſonal eſtate divided by force of any ſtatute of diſtributions, the amount whereof ſhall be above the value of fifty dollars, and ſhall not exceed the value of one hundred dollars, twenty-five cents; where the amount thereof ſhall exceed the value of one hundred dollars, and ſhall not exceed five hundred dollars, fifty cents; and for every further ſum of five hundred dollars, the additional ſum of one dollar; any policy of inſurance or inſtrument in nature thereof, whereby any ſhips, veſſels, or goods, going from one diſtrict to another in the United States, or from the United States to any foreign port or place ſhall be inſured to wit: If going from one diſtrict to another in the United States, twenty-five cents; if going from the United States to any foreign port or place, when the ſum for which inſurance is made ſhall not exceed five hundred dollars, twenty-five cents; and when the ſum inſured ſhall exceed five hundred dollars, one dollar; any exemplification of what nature ſoever, that ſhall paſs the ſeal of any court, other than ſuch as it may be the duty of the clerk of ſuch court to furniſh for the uſe of the United States, or ſome particular ſtate, fifty cents; any bonds, bills, ſingle or penal, foreign or inland bill of exchange, promiſſory note, or other note for the ſecurity of money, according to the fol-

Exemplification of letters patent.

Receipts.

Policy of inſurance.

Rate of duties on bonds and notes.

lowing ſcale, viz. on all bonds, bills ſingle or penal, foreign or inland bill of exchange, promiſſory note or other note above twenty dollars, and not exceeding one hundred dollars, ten cents; above one hundred dollars and not exceeding five hundred dollars, twenty-five cents; above five hundred and not exceeding one thouſand dollars, fifty cents; above one thouſand dollars, ſeventy-five cents: *Provided*, that if any bonds or notes ſhall be payable at or within ſixty days, ſuch bonds or notes ſhall be ſubject to only two-fifth parts of the duty aforeſaid; and provided, that notes iſſued by any of the banks now eſtabliſhed, or which hereafter may be eſtabliſhed, within the United States, ſhall be ſubject to a duty according to the following ſcale, viz. On all notes not exceeding fifty dollars, at the rate of three-fifths of a cent for every dollar; above fifty dollars and not exceeding one hundred dollars, fifty cents; above one hundred dollars, and not exceeding five hundred dollars, one dollar; above five hundred dollars, two dollars; any proteſt or other notarial act, twenty-five cents; any letter of attorney, except for invalid penſions, or to obtain or ſell warrants for land, granted by the United States as bounty for military ſervices performed in the late war, twenty-five cents; any certificate or debenture for drawback of cuſtoms or duties for leſs than five hundred dollars, one dollar; any certificate or debenture for five hundred dollars and not exceeding two thouſand dollars, two dollars; and on every certificate or debenture for more than two thouſand dollars, three dollars; any note or bill of lading for any goods or merchandize to be exported, if from one diſtrict to another diſtrict of the United States, not

Proviſo.

Proteſt.

Rate of duty on certificates or debentures.

being in the ſame State, ten cents; if to be exported to any foreign port or place, twenty-five cents; any inventory or catalogue of any furniture, goods or effects, made in any caſe required by law (except in caſes of goods and chattels diſtrained for rent or taxes, and goods taken in virtue of any legal proceſs by any officer) fifty cents; any certificate of a ſhare in any inſurance company, or any certificate of a ſhare in the bank of the United States, or of any ſtate, or other bank, above twenty dollars, and not exceeding one hundred dollars, ten cents; above one hundred dollars, twenty-five cents; and for any certificate for every ſuch ſhare under twenty dollars, at the rate of ten cents for one hundred dollars; and the ſame for any leſs ſum of the amount of the ſhares expreſſed in ſuch certificate; provided, that nothing in this act contained, ſhall extend to charge with a duty, any legacy left by any will or other teſtamentary inſtrument, or any ſhare or part of a perſonal eſtate, to be divided by force of any ſtatute of diſtributions which ſhall be left to, or divided amongſt the wife, children, or grand children of the perſon deceaſed inteſtate, or making ſuch will or teſtamentary inſtrument, or any recognizance, bill, bond, or other obligation or contract, which ſhall be made to or with the United States, or any ſtate, or for their uſe reſpectively.

Any inventory.

Proviſo.

Sec. 2. *And be it further enacted*, That in reſpect to any ſtamp, on any of the notes of the banks now eſtabliſhed, or which hereafter may be eſtabliſhed within the United States, it ſhall be lawful for the ſecretary of the treaſury, to agree to an annual compoſition for

Secretary of the Treaſury may agree with the banks for 1 per cent. on

annual dividends, in lieu of ſtamp duty.

the amount ſuch ſtamp duty, with any of the ſaid banks, of one per centum on the amount of the annual dividend made by ſuch banks, to their ſtockholders reſpectively.

Deeds, &c. on ſhip, conſtrued to be policies of aſſurance.

Sec. 3. *And be it further enacted*, That all deeds and writings whatſoever, for the payment of any ſum of money, upon the contingency of the loſs of any ſhip, or goods, laden or to be laden on board of any ſhip, or of damage thereto, ſhall be conſtrued and adjudged to be policies of aſſurance, within this act chargeable with the ſeveral rates of duty herein-before mentioned.

Penalty on neglecting to make out policy of inſurance.

Sec. 4. *And be it further enacted*, That when any veſſel, or any goods or merchandize, laden or to be laden on board of any veſſel, ſhall be inſured, a policy duly ſtamped ſhall be iſſued, or made out, within the ſpace of three days at furtheſt; and the inſurer or inſurers neglecting to make out ſuch policy or policies, within the time aforeſaid, ſhall forfeit the ſum of twenty dollars, for every ſuch neglect or offence; and all promiſſory notes, or other ſecurity made for aſſurance or inſurances of ſhips, goods, or merchandizes at ſea, or going to ſea, in lieu of a policy, are hereby declared void.

Sec. 5. *And be it further enacted*, That every deed, inſtrument, note, memorandum, letters or other writing between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader, or other perſon, in reſpect to the hire or freight of ſuch ſhip or veſſel, for conveyance of any money, goods, wares, merchandize or effects, laden, or to be laden on board of ſuch ſhip or veſſel, ſhall be deemed and adjudged to be a charter party.

Sec. 6. *And be it further enacted*, That every receipt for any ſum of money, paid in whole

or in part, of any legacy or ſhare of perſonal eſtate, diſtributed as aforeſaid, in the caſes in which a duty is hereby charged, ſhall expreſs therein the true ſum which ſhall have been ſo paid; in default of which, as well the perſon or perſons by whom the ſame ſhall have been paid, as the perſon or perſons by whom the ſame ſhall have been received, ſhall ſeverally forfeit and pay the ſum of twenty dollars: And every receipt in full, ſhall be deemed, for the purpoſe of charging the duties hereby laid, to be for the entire ſum of ſuch legacy or ſhare of perſonal eſtate, unleſs it ſhall be made to appear that all ſuch part thereof, as may not be expreſſed in ſuch receipt in full, was, previous thereto, paid, and upon a receipt or receipts, duly marked or ſtamped, according to the directions of this act.

Receipts for legacies, &c. to expreſs the full ſum paid.

Sec. 7. *And be it further enacted*, That every counſellor, ſolicitor, attorney, proctor, or advocate, who hath been, or ſhall be admitted, enrolled or regiſtered in any court of the United States, before he ſhall at any time after the ſaid thirty-firſt day of December next, proſecute, carry on, or defend any action, ſuit or proceeding in any court of the United States, ſhall take out a certificate of ſuch admiſſion, enrolment or regiſtry, from the clerk or prothonotary of the court granting ſuch admiſſion; which certificate ſhall be written on a piece of vellum, parchment, or paper, ſtamped according to the directions of this act, and ſuch clerk or prothonotary ſhall make entry of ſuch admiſſion, enrolment or regiſtry, in a book to be by him kept for that purpoſe, to which any perſon may at reaſonable times have acceſs without fee or reward: For which certificate and entry there ſhall be

Counſellors, &c. ſhall take out a ſtamped certificate of admiſſion.

paid to ſuch clerk or prothonotary, by the ſuperviſor of the revenue for the diſtrict wherein ſuch court ſhall be held, the ſum of twenty-five cents.

Duty to be paid upon one certificate only.

Sec. 8. *And be it further enacted*, That the receiving a certificate as aforeſaid in any one of the courts of the United States, for any one of the ſaid offices, ſhall be a ſufficient admiſſion in all the courts of the ſame, for that or any other of the ſaid offices, ſo far as relates to the payment of the duties impoſed by this act; any thing herein contained to the contrary notwithſtanding.

How theſe duties are to be collected and accounted for.

Sec. 9. *And be it further enacted*, That the ſeveral duties aforeſaid, ſhall be levied, collected, received, and accounted for, by and under the immediate direction and management of the ſuperviſors and inſpectors of the revenue, and other officers of inſpection, ſubject to the ſuperintendance, control and direction of the treaſury department, according to the reſpective authorities and duties of the officers thereof.

Secretary of the Treaſury to provide marks and ſtamps.

Sec. 10. *And be it further enacted*, That it ſhall be the duty of the ſecretary of the treaſury, to cauſe to be provided, ſo many marks and ſtamps, differing from each other, as ſhall correſpond with the ſeveral rates of duty aforeſaid; that is to ſay, one mark or ſtamp for each diſtinct rate of duty; with which marks and ſtamps reſpectively ſhall be marked or ſtamped all vellum, parchment or paper, upon which ſhall be written, or printed, all or any of the ſeveral inſtruments, writings, matters and things herein-before enumerated and charged, according to the nature and deſcription of each of the ſaid inſtruments, writings, matters, and things as are herein-before ſpecified and deſcribed: Which ſaid ſeveral marks and

ſtamps ſhall be notified by a public notification, or advertiſement, to be iſſued by the ſecretary of the treaſury, and inſerted in at leaſt one newſpaper printed in each ſtate, and in the territory north-weſt of the Ohio, and for not leſs than three months before the ſaid thirty-firſt day of December next, to the end that all perſons may have due notice thereof; and which ſaid marks and ſtamps, or any of them, ſhall or may be altered or renewed from time to time, as the ſaid ſecretary of the treaſury ſhall think fit, ſo as like public notification thereof be made, for a term not leſs than three months, before ſuch new ſtamps or marks ſhall begin to be uſed.

Supervisors to ſtamp vellum, &c. upon demand made.

Sec. 11. *And be it further enacted*, That the ſupervisors of the revenue are hereby empowered and required, forthwith upon demand to them or any of them, made by any perſon or perſons, to ſtamp or mark any quantities or parcels of vellum, parchment, or paper (he, or they paying to the ſupervisors of the revenue, reſpectively, the reſpective duties hereby directed to be paid for the ſame) to ſtamp and mark the ſame accordingly, without any other fee or reward; which ſtamp or mark ſhall be a ſufficient diſcharge for the ſeveral and reſpective duties hereby granted upon the ſaid vellum, parchment or paper, which ſhall be ſo ſtamped or marked.

Penalty on ſtamping before the duties are paid or ſecured.

Sec. 12. *And be it further enacted*, That if any ſupervisor of the revenue ſhall fix any ſuch mark or ſtamp to any vellum, parchment, or paper, upon ſuch requeſt or demand as aforeſaid, before the ſeveral and reſpective duties thereupon charged by this act, ſhall be duly anſwered and paid, or ſecured to be paid, he ſhall for every ſuch offence, forfeit his office, together with the ſum of five hundred dollars.

Penalty on writing or printing upon vellum, &c. unſtamped or improperly ſtamped.

Sec. 13. *And be it further enacted*, That if any perſon or perſons, ſhall write or print, or cauſe to be written or printed upon any unſtamped vellum, parchment, or paper, (with intent fraudulently to evade the duties impoſed by this act) any of the matters and things for which the ſaid vellum, parchment or paper is hereby charged to pay any duty, or ſhall write or print, or cauſe to be written or printed any matter or thing, upon any vellum, parchment, or paper, that ſhall be marked or ſtamped for any lower duty than the duty by this act payable, ſuch perſons ſo offending, ſhall, for every ſuch offence, forfeit the ſum of one hundred dollars; and in caſe any clerk, officer, or perſon, who, in reſpect of any public office or employment, is or ſhall be authorized or inſtructed to make, write, or print any deeds, inſtruments, or writings, by this act charged to pay a duty, as aforeſaid, ſhall be guilty of any fraud or practice to defraud or deprive the United States of any duty by this act payable, by making, writing, or printing any ſuch deed, inſtrument, or writing, or cauſing the ſame to be made, written, or printed upon vellum, parchment, or paper, not marked or ſtamped according to this act, (or upon vellum, parchment, or paper, marked, or ſtamped with any mark or ſtamp which he ſhall know to be counterfeited) or by writing, or printing any ſuch deed, inſtrument or other writing upon vellum, parchment, or paper, that ſhall be marked, or ſtamped for a lower duty as aforeſaid, every ſuch clerk, officer, or perſon ſo guilty, and being thereof lawfully convicted, ſhall inſtead of the penalty aforeſaid, forfeit and pay the ſum of five hundred dollars; and if an officer of the United States, ſhall in addition thereto, forfeit his office, and

be diſabled to hold or enjoy the ſame for the future; and if any deed, inſtrument, or writing whatſoever, by this act charged with the payment of a duty, as aforeſaid, ſhall contrary to the true intent and meaning thereof, be written or printed, by any perſon or perſons whomſoever, upon vellum, parchment, or paper, not marked or ſtamped, according to this act, or upon vellum, parchment, or paper, marked, or ſtamped, for a lower duty than ought to be paid upon the ſame, then, and in every ſuch caſe, there ſhall be paid to the United States, for their uſe over and above the duty herein-before charged thereupon, for ſtamping every ſuch deed, inſtrument, or writing, the ſum of ten dollars; and no ſuch deed, inſtrument, or writing, ſhall be pleaded or given in evidence in any court, or admitted in any court to be available in law or equity, until it ſhall be ſtamped as aforeſaid. And the ſupervifors reſpectively are hereby enjoined and required, upon payment or tender of the ſaid duty and ſum of ten dollars unto any of them, to mark or ſtamp the ſaid vellum, parchment, or paper, with the mark or ſtamp that ſhall be proper for ſuch deed, inſtrument, or writing, reſpectively; and if any perſon or perſons whatſoever, ſhall counterfeit, or forge any ſtamp, or mark, to reſemble any ſtamp or mark which ſhall be provided, or made in purſuance of this act, or ſhall counterfeit or reſemble the impreſſion of the ſame upon any vellum, parchment, or paper, thereby to defraud the United States of any the duties hereby granted, or ſhall utter, vend or ſell any vellum, parchment, or paper, with ſuch counterfeit mark or impreſſion thereupon, knowing ſuch mark or impreſſion to be counterfeit; or ſhall privately or fraudulently uſe any ſtamp

Penaly on counterfeiting.

On fraudulently using genuine ſtamps.

or mark, directed or allowed to be uſed by this act, in relation to the duties hereby laid, with intent to defraud the United States of any of the ſaid duties, then every ſuch perſon ſo offending, being thereof convicted in due form of law, ſhall be judged guilty of a miſdemeanor, and be ſubject to be fined in any ſum not exceeding one thouſand dollars, and to be impriſoned for any term not exceeding ſeven years.

Penalty on banks iſſuing bills or notes unſtamped.

Sec. 14. *And be it further enacted*, That from and after the thirty-firſt day of December, no bank now eſtabliſhed, or which ſhall be hereafter eſtabliſhed, which ſhall not have compounded for the duty hereby required, ſhall iſſue any bank bill or promiſſory note, unleſs upon paper duly ſtamped, and whereon the reſpective duties ſhall have been paid; and if the officer of any ſuch bank, or any perſon or perſons employed therein, ſhall thereafter iſſue any bill or note, not duly ſtamped as aforeſaid, he or they ſhall forfeit and pay a fine equal to the value of the bill or note ſo iſſued.

Sec. 15. *And be it further enacted*, That every perſon who ſhall be employed for the marking, or ſtamping of vellum, parchment, or paper, as aforeſaid, before his acting in the marking or ſtamping of the ſaid vellum, parchment or paper, ſhall take the following oath or affirmation:

Oath to be taken by perſons employed in ſtamping.

" I (*inſert here the name of the perſon*) do ſolemnly ſwear (*or affirm, as the caſe may be*) that I will, according to the beſt of my knowledge and ſkill, faithfully, honeſtly and carefully execute the truſt repoſed in me, and will truly mark, or ſtamp all vellum, parchment or paper which I ſhall be required, or directed to mark, or ſtamp, and will render a

true and exact account thereof to the proper officer, or officers, and will faithfully account for all monies which I ſhall receive therefor."

Duty of the ſuperviſors, &c. to obey the directions of the Treaſury Department.

Sec. 16. *And be it further enacted*, That the ſaid ſuperviſors of the revenue, officers and other perſons to be employed by them, ſhall, from time to time, for the better execution of their ſeveral duties and truſts, obſerve and execute ſuch directions as they, reſpectively, ſhall, from time to time, receive from the department of the treaſury; which department ſhall take care that the ſeveral parts of the United States ſhall, from time to time, be ſufficiently furniſhed with vellum, parchment, and paper, ſtamped, or marked as aforeſaid, ſo that the citizens thereof may have it in their election to buy the ſame of the officers or perſons to be employed in and about the execution of this act, at the uſual, or moſt common rates above the ſaid duty, or to bring their own vellum, parchment, or paper, to be marked or ſtamped as aforeſaid.

Duty of the Treaſury Department.

What is to be done with ſtamped vellum, &c. in caſe of the change of marks or ſtamps.

Sec. 17. *And be it further enacted*, That as often as any alteration or renewal ſhall be made of, or in the marks or ſtamps before in uſe, or any of them, it ſhall be lawful for all perſons who ſhall at that time have in their cuſtody or poſſeſſion, any vellum, parchment, or paper, marked with any mark or ſtamp, which ſhall be ſo altered or renewed, and upon which any of the matters or things hereby charged, ſhall not have been written, or printed, at any time within the ſpace of ſixty days, after the intention of renewing or altering ſhall be notified as aforeſaid, to bring or ſend ſuch vellum, parchment or paper, unto ſome office of inſpection; and the officer of inſpection, to whom they ſhall be brought or ſent,

is hereby required to deliver, or cauſe to be delivered, unto the ſeveral perſons who ſhall ſo bring and deliver any quantity of vellum, parchment or paper, the like quantity of vellum, parchment or paper, and as good in quality, ſtamped with ſuch new ſtamp or mark, without demanding or taking, directly or indirectly, for the ſame, any money or other conſideration whatſoever. And in caſe any perſon ſhall neglect or refuſe, within the time aforeſaid, to bring or cauſe to be brought and delivered unto ſome officer of inſpection, any ſuch vellum, parchment or paper, the ſame is hereby declared to be of no other effect, or uſe, than if it had never been marked or ſtamped; and all matters and things which ſhall, after that time be written or printed thereon, ſhall be of no other effect, than if they had been written or printed on vellum, parchment or paper not marked or ſtamped: And all perſons who ſhall write or print any of the matters or things hereby charged, on ſuch vellum, parchment or paper, after the ſaid time, ſhall forfeit and ſuffer as herein before is enacted for perſons writing or printing on vellum, parchment or paper, not marked or ſtamped.

Officers collecting the duties, to keep accounts and remit monies.

Sec. 18. *And be it further enacted*, That all and every the officer and officers who ſhall be concerned in the levying, collecting and receiving the duties ariſing by this act, ſhall keep a ſeparate and diſtinct account thereof, and ſhall pay or remit the ſame, as ſpeedily as may be, after it ſhall be received, according to the orders of the department of the treaſury.

Sec. 19. *And be it further enacted*, That it ſhall be lawful for the Preſident of the United States, to cauſe ſuch ſum and ſums of money to be expended and paid, from time to time,

for ſalaries, compenſations, and other incidental charges as ſhall be neceſſary in and for the receiving, collecting, levying or managing of the ſaid duties, ſo as that the whole amount thereof, ſhall not exceed five per centum of the groſs total product of the ſaid duties. Salaries and incidental charges.

Sec. 20. *And be it further enacted*, That all fines, penalties, and forfeitures, which ſhall be incurred by virtue of this act, ſhall be ſued for and recovered in the name of the United States, or of the ſupervifor of the revenue, within whoſe diſtrict, any ſuch fine, penalty, or forfeiture ſhall have been incurred, by bill, or information, in any circuit, or diſtrict-court of the United States, or in any court of either of the ſaid ſtates; one-half thereof to the uſe of the perſons who, if an officer of inſpection, ſhall firſt diſcover; if other than an officer of inſpection, ſhall firſt inform of the cauſe whereby any ſuch fine, penalty, or forfeiture ſhall have been incurred (except in the caſes in which a different diſpoſition thereof may have been herein-before made) and the other half to the uſe of the United States. Penalties how to be ſued and appropriated.

Sec. 21. *And be it further enacted*, That this act ſhall continue, and be in force, for and during the term of five years, and from thence to the end of the next ſeſſion of Congreſs, and no longer. Limitation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

WILLIAM BRADFORD, *Preſident pro tempore of the Senate.*

APPROVED, July ſixth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XII.

An Act in Addition to the Law of the United States, concerning Conſuls and Vice-Conſuls.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That in caſe it be found neceſſary, for the intereſt of the United States, that a conſul be appointed to reſide at Algiers; the Preſident be authoriſed to allow him an annual ſalary not exceeding four thouſand dollars.

Conſul at Algiers.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, July ſixth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XIII.

An Act for allowing full Mileage to the Members of the Senate and Houſe of Repreſentatives of the United States.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That at the preſent extraordinary meeting and ſeſſion of Congreſs, the reſpective members of the ſenate and of the houſe of repreſentatives ſhall be entitled to receive a full allowance of mileage, any law to the contrary notwithſtanding.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, July ſixth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XIV.

An Act to revive and continue in Force, for a limited Time, An Act, intituled, "An Act authorizing the Transfer of the Stock ſtanding to the Credit of certain States."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the ſeveral proviſions of the act, intituled, "An act authorizing the transfer of the ſtock ſtanding to the credit of certain ſtates," paſſed the ſecond day of January, one thouſand ſeven hundred and ninety-five, be and they are hereby revived and continued in force until the fourth day of March, one thouſand ſeven hundred and ninety-nine, and no longer.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

WILLIAM BRADFORD, *Preſident of the Senate, pro tempore.*

APPROVED, July ſixth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XV.

An Act laying an additional Duty on Salt imported into the United States, and for other Purpoſes.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That from and after the thirtieth day of Sep-

Eight cents additional duty on ſalt imported in veſſels of the United States.

tember next, there ſhall be levied, collected and paid, upon all ſalt imported into the United States, in ſhips or veſſels of the United States, in addition to the duty of twelve cents now payable by law, eight cents per buſhel, and on all ſalt which after the ſaid thirtieth day of September, ſhall be imported into the United States, in ſhips or veſſels not of the United States, the like additional duty of eight cents, and ten per centum thereon.

Eight cents and ten per cent thereon, laid upon other veſſels.

Sec. 2. *And be it further enacted*, That all drawbacks and allowances now authorized by law, in relation to the exiſting duty on ſalt imported into the United States, ſhall apply to the additional duty laid by this act, and that in addition thereto, there ſhall be allowed and paid upon proviſions ſalted within the United States, except upon dried fiſh, upon the exportation thereof to any foreign port or place as follows, viz. on pickled fiſh at the rate of twelve cents per barrel, and on other proviſions at the rate of ten cents per barrel; and from and after the firſt day of January next, there ſhall be an addition of thirty-three and a third per centum to the allowances now reſpectively granted to ſhips or veſſels employed in the bank or other cod fiſheries, and in the terms provided by an act, intituled, "An act concerning certain fiſheries of the United States, and for the regulation and government of the fiſhermen employed therein," and during the continuance of the ſaid act.

Drawbacks and allowances to apply to the additional duty.

Additional drawbacks and allowances.

Sec. 3. *And be it further enacted*, That the act intituled, "an act to provide more effectually for the collection of the duties impoſed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ſhips or veſſels," ſhall extend to

Mode of executing this act.

and be in full force for the collection of the additional duty laid by this act, and generally, for the execution thereof, as fully and effectually, as if every regulation, reſtriction, penalty, proviſion, clauſe, matter and thing therein contained, had been herein inſerted and re-enacted.

Sec. 4. *And be it further enacted*, That this act ſhall continue in force for two years, and from thence unto the end of the next ſeſſion of Congreſs, and no longer. Limitation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
WILLIAM BRADFORD, *Preſident pro tempore of the Senate.*

APPROVED, July eighth, 1797:
JOHN ADAMS,
Preſident of the United States.

CHAPTER XVI.

An Act authorizing a Loan of Money.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States be, and he is hereby empowered to borrow, on the credit of the United States, a ſum not exceeding eight hundred thouſand dollars, at an intereſt not exceeding ſix per centum per annum, reimburſable at the pleaſure of the United States, or at ſuch period as may be ſtipulated by contract, not exceeding five years from the time of obtaining the loan, to be New loan of 800,000 dollars.

applied to ſuch public purpoſes as are or may be authorized by law, and to be repaid out of the revenues accruing to the end of the preſent year, and ſuch further revenues as have been, or may be provided during the preſent ſeſſion of Congreſs; and it ſhall be lawful for the bank of the United States to lend the ſaid ſum.

How to be paid.

Sec. 2. *And be it further enacted*, That in caſe the exiſting revenues of the United States, together with ſuch further revenues as have been, or may be provided, during the preſent ſeſſion, ſhall be inſufficient to diſcharge and reimburſe the ſaid loan, the faith of the United States is hereby pledged to make ſuch further proviſion therefor, as may be neceſſary.

In caſe of deficiency, faith of the United States pledged to make proviſion for it.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

WILLIAM BRADFORD, *Preſident pro tempore of the Senate.*

APPROVED, July eighth, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XVII.

An Act making additional Appropriations for the Support of Government, for the Year one thouſand ſeven hundred and ninety-ſeven.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That for the expenditure of the civil liſt; for the

ſupport of light-houſes; for the expenſes of foreign intercourſe; for certain expenſes in relation to the military and naval eſtabliſhments; and to ſatisfy certain miſcellaneous demands, the following ſums be reſpectively appropriated, that is to ſay:

Specific appropriations.

For the compenſations granted by law to the members of the Senate and Houſe of Repreſentatives, their officers and attendants, eſtimated for a ſeſſion of two months, ſeventy-ſeven thouſand three hundred and eighty-nine dollars and ſixty-ſix cents.

For the expenſes of fire-wood, ſtationery, printing work, and all other contingent expenſes of the two houſes of Congreſs, ſix thouſand five hundred dollars.

For printing the laws of the preſent ſeſſion, one thouſand and fifty dollars.

For making good the allowance to clerks employed in the department of ſtate, agreeably to law, two hundred and ſixty-nine dollars and ſeventy cents.

For the ſalary of an additional clerk in the department of ſtate, to perform the duties of an accountant, and when not ſo employed, to do the ordinary ſervices of a clerk, eight hundred dollars.

For defraying the expenſes of foreign intercourſe, for the year one thouſand ſeven hundred and ninety-ſeven, beyond the appropriations heretofore authorized by law, ſixty thouſand five hundred dollars.

For defraying any advances incidental to the intercourſe of the United States, with the Mediterranean powers, to be applied under the direction of the Preſident of the United States, and according to his diſcretion, a ſum not exceeding forty-five thouſand dollars.

For the ſalaries of two extra clerks in the

Specific appropriations.

office of the accountant of the war department, eight hundred dollars.

For completing and equipping the frigates United States, Conſtitution, and Conſtellation, two hundred thouſand dollars.

For the pay and ſubſiſtence of the officers and crews of the ſaid frigates, one hundred thouſand dollars.

For the extra expenſes authorized by law, during the preſent ſeſſion in relation to the revenue-cutters, ten thouſand dollars.

For the repairs and fabrication of arms and cannon carriages, thirty-nine thouſand dollars.

For completing the ſix months' pay, and ſubſiſtence of the officers diſcharged under the act of the third of March, one thouſand ſeven hundred and ninety-ſeven, two thouſand five hundred and eighty dollars.

For the hoſpital department, five thouſand dollars.

For making good a deficiency ariſing from the balance of monies of various appropriations being carried to the credit of the "ſurplus fund," in purſuance of the ſixteenth ſection of the act paſſed the third of March, one thouſand ſeven hundred and ninety-five, viz. for erecting a light-houſe on the head land of Cape Hatteras, and a lighted beacon on Shell Caſtle Iſland, in the harbour of Ocracock, in the ſtate of North-Carolina, forty-four thouſand dollars.

For enabling a remittance to the commiſſioners of the Dutch loans at Amſterdam, in payment for a quantity of ſalt-petre, ſeventeen thouſand and thirty-one dollars, and eighty-nine cents.

For re-paying the bank of the United States a ſum advanced upon certain treaſury bills,

drawn upon collectors of the revenue of the United States, in North-Carolina, five thouſand one hundred and fifty dollars. Specific appropriations.

For the payment of the commiſſioner of loans, for the ſtate of Rhode-Iſland, on account of two clerks who were employed in the year one thouſand ſeven hundred and ninety-ſix, fifty-four dollars.

Sec. 2. *And be it further enacted*, That the ſeveral appropriations herein-before made, ſhall be paid and diſcharged out of the ſurplus of revenue and income beyond the appropriations heretofore charged thereon, to the end of the preſent year. How to be paid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

WILLIAM BRADFORD, *Preſident pro tempore of the Senate.*

APPROVED, July tenth, 1797:

JOHN ADAMS,

Preſident of the United States.

Treaty

OF PEACE AND FRIENDSHIP

Between the United States of America,

And the Bey and Subjects

OF TRIPOLI, OF BARBARY.

ARTICLE I.

Peace under the guarantee of the Dey of Algiers.

THERE is a firm and perpetual peace and friendſhip between the United States of America, and the Bey and Subjects of Tripoli of Barbary, made by the free conſent of both parties, and guaranteed by the Moſt Potent Dey and Regency of Algiers.

ARTICLE II.

Enemy's goods to be free in ſhips belonging to the parties.

If any goods belonging to any nation with which either of the parties is at war, ſhall be loaded on board of veſſels belonging to the other party, they ſhall paſs free, and no attempt ſhall be made to take or detain them.

ARTICLE III.

Perſons and property in enemy's veſſels to be free in caſe of capture.

If any Citizens, Subjects or Effects belonging to either party, ſhall be found on board a prize-veſſel taken from an enemy by the other party, ſuch Citizens or Subjects ſhall be ſet at liberty, and the effects reſtored to the owners.

ARTICLE IV.

Paſſports to be given.

Proper paſſports are to be given to all veſſels of both parties, by which they are to be known. And conſidering the diſtance between the two countries, eighteen months from the date of this treaty ſhall be allowed for procuring ſuch paſſports. During this interval, the other papers belonging to ſuch veſſels ſhall be ſufficient for their protection.

ARTICLE V.

Condemnation and bill of ſale of a prize-veſſel to be

A Citizen or Subject of either party having bought a prize-veſſel condemned by the party or by any other nation, the certificate of condemnation and bill of ſale ſhall be a ſufficient

paſſport for ſuch veſſel for one year; this being a reaſonable time for her to procure a proper paſſport. available as a paſſport for 1 year.

ARTICLE VI.

Veſſels of either party putting into the ports of the other, and having need of proviſions or other ſupplies, they ſhall be furniſhed at the market price. And if any ſuch veſſel ſhall ſo put in from a diſaſter at ſea, and have occaſion to repair, ſhe ſhall be at liberty to land and reimbark her cargo, without paying any duties. But in no caſe ſhall ſhe be compelled to land her cargo. Veſſels putting into ports of the parties for proviſions or repairs.

ARTICLE VII.

Should a veſſel of either party be caſt on the ſhore of the other, all proper aſſiſtance ſhall be given to her and her people—No pillage ſhall be allowed; the property ſhall remain at the diſpoſition of the owners, and the crew protected and ſuccoured till they can be ſent to their country. Shipwrecks

ARTICLE VIII.

If a veſſel of either party ſhould be attacked by an enemy within gun-ſhot of the forts of the other, ſhe ſhall be defended as much as poſſible. If ſhe be in port, ſhe ſhall not be ſeized or attacked, when it is in the power of the other party to protect her; and when ſhe proceeds to ſea, no enemy ſhall be allowed to purſue her from the ſame port within twenty-four hours after her departure. Neutrality of ports.

ARTICLE IX.

The commerce between the United States and Tripoli—the protection to be given to merchants, maſters of veſſels and ſeamen—the reciprocal right of eſtabliſhing conſuls in each country, and the privileges, immunities and juriſdictions to be enjoyed by ſuch conſuls, are declared to be on the ſame footing with Commerce, &c. to be on the footing of the moſt favoured nations.

thoſe of the moſt favoured nations reſpectively.

ARTICLE X.

Acknowledgment of the receipt of the price of peace.

The money and preſents demanded by the Bey of Tripoli, as a full and ſatisfactory conſideration on his part, and on the part of his ſubjects, for this treaty of perpetual peace and friendſhip, are acknowledged to have been received by him previous to his ſigning the ſame, according to a receipt which is hereto annexed; except ſuch part as is promiſed on the part of the United States, to be delivered and paid by them on the arrival of their conſul in Tripoli, of which part a note is likewiſe hereto annexed.——And no pretence of any periodical tribute or farther payment is ever to be made by either party.

ARTICLE XI.

Pretexts ariſing from religious opinions not to interrupt the harmony of the two nations.

As the government of the United States of America is not in any ſenſe founded on the Chriſtian religion—as it has in itſelf no character of enmity againſt the laws, religion or tranquility of Muſſelmen—and as the ſaid ſtates never have entered into any war or act of hoſtility againſt any Mahometan nation, it is declared by the parties, that no pretext ariſing from religious opinions ſhall ever produce an interruption of the harmony exiſting between the two countries.

ARTICLE XII.

Diſputes between the parties to be decided by reference to the Dey of Algiers.

In caſe of any diſpute ariſing from a violation of any of the articles of this treaty, no appeal ſhall be made to arms, nor ſhall war be declared on any pretext whatever. But if the conſul reſiding at the place where the diſpute ſhall happen, ſhall not be able to ſettle the ſame, an amicable reference ſhall be made to the mutual friend of the parties, the Dey of Algiers, the parties hereby engaging to abide by his deciſion. And he, by virtue

of his ſignature to this treaty, engages for himſelf and his ſucceſſors, to declare the juſtice of the caſe according to the true interpretation of the treaty, and to uſe all the means in his power to enforce the obſervance of the ſame.

Signed and Sealed at Tripoli of Barbary, the 3d *day of Jumad in the year of the Higera* 1211---*correſponding with the* 4th *day of November* 1796—*by*

(L.S.) JUSSUF BASHAW MAHOMET, *Bey.*
(L. S.) MAMET, *Treaſurer.*
(L. S.) AMET, *Miniſter of Marine.*
(L. S.) AMET, *Chamberlain.*
(L. S.) ALLY, *Chief of the Divan.*
(L. S.) SOLIMAN KAYA.
(L. S.) GALIL, *General of the Troops.*
(L. S.) MAHOMET, *Cmdt. of the City.*
(L. S.) MAMET, *Secretary.*

Signed and Sealed at Algiers, the 4th *day of Argil,* 1211, *correſponding with the* 3d *day of January,* 1797, *by*

(L. S.) HASSAN BASHAW, *Dey.*

And by the Agent Plenipotentiary of the United States of America,

(L. S.) JOEL BARLOW.

I, JOEL BARLOW, Agent and Conſul General of the United States of America, for the City and Kingdom of Algiers, certify and atteſt, that the foregoing is a true copy of the treaty, concluded between the ſaid United States, and the Bey and ſubjects of Tripoli of Barbary, of which the original is to be tranſmitted by me to the Miniſter of the ſaid United States, in Liſbon.

Certificate of the copy by Joel Barlow.

IN teſtimony whereof, I ſign theſe preſents with my hand, and affix thereto the ſeal

(L. S.) *of the Conſulate of the United States, at Algiers, this* 4th *day of January,* 1797.

JOEL BARLOW.

To all to whom theſe preſents ſhall come or be made known:

Confirmation of the treaty by David Humphreys.

WHEREAS the under-written David Humphreys, hath been duly appointed Commiſſioner Plenipotentiary, by Letters Patent under the ſignature of the Preſident and ſeal of the United States of America, dated the 30th of March 1795, for negociating and concluding a Treaty of Peace with the moſt Illuſtrious, the Baſhaw, Lords and Governors of the City and Kingdom of Tripoli: WHEREAS, by a writing under his hand and ſeal, dated the 10th of February 1796, he did (in conformity to the authority committed me therefor) conſtitute and appoint Joel Barlow, and Joſeph Donaldſon, junior, agents, jointly and ſeparately, in the buſineſs aforeſaid: WHEREAS the annexed Treaty of Peace and Friendſhip, was agreed upon, ſigned and ſealed at Tripoli of Barbary, on the 4th of November 1796, in virtue of the powers aforeſaid, and guaranteed by the Moſt Potent Dey and Regency of Algiers; AND WHEREAS the ſame was certified at Algiers on the 3d of January 1797, with the ſignature and ſeal of Haſſan Baſhaw, Dey, and of Joel Barlow, one of the agents aforeſaid, in the abſence of the other.

Now, know ye, that I, David Humphreys, commiſſioner plenipotentiary aforeſaid, do approve and conclude the ſaid treaty, and every article and clauſe therein contained, reſerving the ſame nevertheleſs for the final ratification of the Preſident of the United States of America, by and with the advice and conſent of the Senate of the ſaid United States.

In teſtimony whereof, I have ſigned the ſame with my name and ſeal, at the city of Liſbon, this 10th *of February*, 1797.

(L. S.) DAVID HUMPHREYS.

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ACTS

PASSED AT

THE SECOND SESSION

OF THE

FIFTH CONGRESS

OF THE

United States of America,

BEGUN AND HELD AT THE CITY OF PHILADELPHIA,

In the State of Pennſylvania,

On Monday, the thirteenth of November,

IN THE YEAR M,DCC,XCVII.

AND OF THE

Independence of the United States,

THE TWENTY-SECOND.

PHILADELPHIA:
PRINTED BY RICHARD FOLWELL,
No. 33, *CARTER'S-ALLEY.*

ACTS
OF
CONGRESS.

CHAPTER XVIII.

An Act to poſtpone, for a limited time, the commencement of the duties impoſed by the act, intituled, "An act laying duties on ſtamped vellum, parchment and paper."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That ſo much of the act, intituled, "An act laying duties on ſtamped vellum, parchment and paper," as directs that the duties impoſed by that act ſhall be levied, collected and paid "from and after the thirty-first day of December next," ſhall be, and the ſame hereby is repealed; and that the duties aforeſaid ſhall be levied, collected and paid, from and after the thirtieth day of June next, and not ſooner; to which laſt-mentioned day, all notices, certificates and other matters or things, directed by the ſaid act, and having reſpect to the commencement or collection of the ſaid duties, or any of them, ſhall relate.

Commencement of the duties poſtponed until after 30th June 1798.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, Dec. 15, 1797:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XIX.

An Act making certain partial appropriations for the year one thouſand ſeven hundred and ninety-eight.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the ſum of one hundred thouſand dollars ſhall be, and the ſame hereby is appropriated towards defraying the expenſes during the year one thouſand ſeven hundred and ninety-eight, of the quarter-maſter's and Indian departments, of the defenſive protection of the frontiers, of bounties, and of the contingent charges of the war department; and a like ſum towards defraying the expenſes, during the ſaid year, of the ſubſiſtence of the officers, non-commiſſioned officers, and privates of the army of the United States.

Appropriations relative to the war Department.

Sec. 2. *And be it further enacted*, That the ſum of fifty-two thouſand dollars be, and the ſame hereby is appropriated for paying and diſcharging ſuch awards as have been, or may be made, purſuant to the ſeventh article of the Treaty of Amity, Commerce, and Navigation between the United States and Great-Britain, in favor of Britiſh ſubjects, whoſe property has been captured within the juriſdiction of the United States, or by veſſels armed or fitted out therein.

For awards in favor of Britiſh ſubjects under 7th article of the treaty of amity, &c.

Sec. 3. *And be it further enacted*, That the aforeſaid ſums ſhall be paid and diſcharged out of any monies in the Treaſury of the United States, not otherwiſe appropriated.

how to be paid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, January 15, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XX.

An Act authoriſing the payment of certain ſums of money to the daughters of the late Count de Graſſe.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That in conſideration of the important ſervices rendered to the United States by the late Count de Graſſe, there be paid, annually, in quarter yearly payments, during five years from the time of paſſing this act, out of any monies in the treaſury, not otherwiſe appropriated, the ſum of four hundred dollars to each of the four daughters of the ſaid Count de Graſſe, namely, Amelia de Graſſe, Adelaide de Graſſe, Melanie de Graſſe, and Silvie de Graſſe, if they ſhall, reſpectively, ſo long live.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, January 15, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXI.

An Act for the relief of the repreſentatives of William Carmichael, deceaſed.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That in the ſettlement of the accounts between the United States and William Carmichael, deceaſed, their late chargé des affaires in Spain, the accounting officers of the Treaſury Department be, and they hereby are authoriſed and directed to place to the credit of the ſaid William

Allowance for extraordinay expenſes.

Carmichael, the ſum of eight thouſand two hundred and fifty-eight dollars and ſeventy-ſix cents, for, and in full of his extraordinary expenſes, as chargé des affaires aforeſaid, from the twentieth day of May, in the year one thouſand ſeven hundred and eighty-two, to the twentieth day of April, in the year one thouſand ſeven hundred and ninety.

Sec. 2. *And be it further enacted*, That in the ſettlement of the ſaid accounts, the accounting officers aforeſaid, ſhall be, and they hereby are further authoriſed and directed to credit and allow to the ſaid William Carmichael, at the rate of four thouſand four hundred and forty-four dollars and forty-four cents, annually, from the ſaid twentieth day of May, one thouſand ſeven hundred and eighty-two, to the ſaid twentieth day of April, one thouſand ſeven hundred and ninety, in full of all claims for his ſalary, during that period.

Periods and rate of annual compenſation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, January 15, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXII.

An Act for the relief of North and Veſey, of Charleſton, South-Carolina.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the collector of the port of Charleſton, in the diſtrict of South-Carolina, be, and he is hereby authoriſed and directed to pay to North and Veſey, of

the city of Charleſton, merchants, the amount of the duties paid by them on ſo much of a certain quantity of ſugars imported into the ſaid port, in the prize-ſhip, called the Amity, on the ſeventh day of April, one thouſand ſeven hundred ninety-ſix, as ſhall be proved, to his ſatisfaction, to have been burnt and deſtroyed in the ſaid city of Charleſton: The ſaid ſugars not being liable to the payment of duties, the ſale thereof having been prohibited.

Duties paid on certain ſugars, to be returned.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, January 15, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXIII.

An Act for allowing a compenſation to the door-keeper of the Senate, and his aſſiſtant, for their ſervices during the late ſeſſion of Congreſs.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That there be allowed to James Mathers, the door-keeper of the Senate, two hundred dollars, and to Cornelius Maxwell, his aſſiſtant, one hundred and eighty dollars, as a compenſation for their ſervices during the late ſeſſion of Congreſs.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

UNITED STATES: APPROVED, January 20, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXIV.

An Act for the relief of John Frank.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Accomptant for the Department of War, be, and he is hereby directed to ſettle the accounts of John Frank, late a private in the ſecond ſub-legion of the army of the United States, and to allow him the ſame pay and emoluments as a ſoldier, from the nineteenth day of Auguſt, one thouſand ſeven hundred and ninety-four, during the time of his captivity, as he would have been entitled to, had he not been diſcharged from the public ſervice before he was made priſoner by the Indians.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

UNITED STATES: January 20, 1798: APPROVED,

JOHN ADAMS,

Preſident of the United States.

CHAPTER XXV.

An Act to preſcribe the mode of taking evidence in caſes of conteſted elections for members of the Houſe of Repreſentatives of the United States, and to compel the attendance of witneſſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That where any perſon, from and after the paſſing of this act, ſhall intend to conteſt an election for any member or members of the Houſe of Repreſentatives of the United States, or to ſupport any ſuch election ſo intended to be conteſted,

and ſhall be deſirous of obtaining teſtimony reſpecting ſuch election, it ſhall be lawful for ſuch perſon to make application to any judge of the courts of the United States, or to any chancellor, juſtice, or judge of a ſuperior or county court, or court of common pleas of any ſtate, or to any mayor, recorder or intendant of a town or city, who ſhall, thereupon, iſſue his warrant of ſummons, directed to all ſuch witneſſes as ſhall be named to him by ſuch applicant, or his agent duly authoriſed for that purpoſe, and requiring the attendance of ſuch witneſſes, before him, at ſome convenient time and place, to be expreſſed in the warrant, in order to be then and there examined, in the manner herein after provided, touching the ſubject matter of the aforſaid application.

Chancellor, juſtice, &c. to iſſue ſummons to witneſſes.

Sec. 2. *And be it further enacted*, That every ſuch witneſs, as is above mentioned, ſhall be duly ſerved with ſuch warrant, by a copy thereof being delivered to him, or her, or left at his or her uſual place of abode; and that ſuch ſervice ſhall be made a convenient time before the day on which the attendance of ſuch witneſs is required, which time the magiſtrate iſſuing the warrant is hereby authoriſed and required to fix, for each witneſs, at the time of iſſuing it, having reſpect to the circumſtances of ſuch witneſs, and the diſtance of his or her reſidence from the place of attendance.

Manner of ſerving ſummons.

Sec. 3. *And be it further enacted*, That any perſon, being ſummoned in the manner above directed, and refuſing or neglecting to attend, purſuant to ſuch ſummons, unleſs in caſe of ſickneſs, or other unavoidable accident, ſhall forfeit and pay the ſum of twenty dollars, to be recovered, with coſts of ſuit, by the party

Penalty on not attending in purſuance of ſummons.

at whoſe inſtance the warrant of ſummons was iſſued, and for his uſe, by action of debt in any court, or before any other tribunal of the United States, or any ſtate, having juriſdiction to the amount of ſuch penalty.

Notification to the oppoſite party.

Sec. 4. *And be it further enacted*, That the magiſtrate iſſuing the aforeſaid warrant of ſummons, ſhall, at the time of iſſuing it, cauſe to be made out, under his hand, and delivered to the ſaid applicant, or his agent authoriſed as aforeſaid, a notification directed to the oppoſite party, and ſtating the time and object of the aforeſaid application, the name of the applicant, and the time and place fixed for the examination of the witneſſes; which notification the ſaid applicant, or his agent as aforeſaid, ſhall cauſe to be ſerved on the ſaid oppoſite party, by delivering to him, or leaving at his uſual place of abode, a copy thereof, a convenient time before the day fixed for the aforeſaid examination; which time the magiſtrate granting the ſaid notification ſhall fix, at the time of granting it, having reſpect to the diſtance of the ſaid party's place of reſidence from that appointed for the examination; which examination ſhall not be proceeded in, unleſs proof be made by affidavit in writing, of the due ſervice of ſuch notification, or unleſs the party on whom ſuch ſervice is hereby directed to be made, ſhall attend at the time and place aforeſaid, by himſelf or his agent duly authoriſed; and conſent to the ſaid examination; which conſent ſhall be certified by the magiſtrate.

Manner of ſerving notification.

Proof of ſervice thereof.

Witneſſes to be examined on oath or affirmation.

Sec. 5. *And be it further enacted*, That all witneſſes who ſhall attend, purſuant to the ſaid ſummons, and all other witneſſes who ſhall be produced at the time and place aforeſaid, by either of the parties, or their or either of their

agents duly authoriſed, ſhall then and there be examined on oath or affirmation, by the magiſtrate, who iſſued the warrant of ſummons aforeſaid, or, in caſe of his abſence, by any other ſuch magiſtrate as is authoriſed by this act to iſſue ſuch warrant, touching all ſuch matters and things reſpecting the election about to be conteſted, as ſhall be propoſed by either of the parties aforeſaid, or by their, or either of their agents duly authoriſed; the teſtimony given on which examination, together with the queſtions propoſed by the parties aforeſaid, or their agents, or either of them, to the witneſſes, reſpectively, the ſaid magiſtrate is hereby authoriſed and required to cauſe to be reduced to writing, in his preſence, and in the preſence of the parties or their agents, if attending, and to be duly atteſted by the witneſſes, reſpectively: After which, he ſhall tranſmit the ſaid teſtimony, duly certified under his hand, covered and ſealed up, to the clerk of the Houſe of Repreſentatives of the United States, for the time being, together with a copy of the warrant of ſummons and notification iſſued in that behalf, and the original affidavit proving the ſervice of ſuch notification.

Teſtimony to be reduced to writing,

and tranſmitted to the clerk of the Houſe of Repreſentatives, with a copy of the ſummons, &c.

Sec. 6. *And be it further enacted*, That in caſe any judge, juſtice, chancellor, mayor, recorder or intendant as is aforeſaid, to whom the application herein mentioned ſhall be made, ſhall, by reaſon of ſickneſs, neceſſary abſence, or unavoidable accident, be rendered unable to attend at the time and place fixed for the examination aforeſaid, it ſhall be lawful for him to certify the matter, and the proceedings had by him in that behalf, to any other magiſtrate of any of the deſcriptions aforeſaid, which ſaid magiſtrate, thereupon, ſhall be, and hereby is authoriſed to attend at ſuch time and place, and

What proceedings are to be had in caſe of inability of the Chancellor, &c. to attend the examination.

to proceed touching the ſaid examinations, in all reſpects, as the magiſtrate iſſuing the warrant of ſummons, might have done, by virtue of this act.

Two juſtices of the peace empowered to act in certain caſes.

Sec. 7. *And be it further enacted*, That where no ſuch magiſtrate as is herein authoriſed to receive applications as aforeſaid, and proceed upon them, ſhall reſide within any diſtrict for which an election about to be conteſted ſhall have been held, it ſhall be lawful to make ſuch application to any two juſtices of the peace reſiding within the ſaid diſtrict, who are hereby authoriſed in ſuch caſe, to receive ſuch application, and jointly to proceed upon it in the manner herein before directed.

Allowance to witneſſes.

Sec. 8. *And be it further enacted*, That every witneſs attending by virtue of ſuch warrant of ſummons as is herein directed to be iſſued, ſhall be allowed the ſum of ſeventy-five cents for each day's attendance, and the further ſum of five cents, for every mile neceſſarily travelled in going and returning, which allowance ſhall be aſcertained and certified by the magiſtrate taking the examination, and ſhall be paid by the party at whoſe inſtance ſuch witneſs was ſummoned: And ſuch witneſs ſhall have an action for the recovery of the ſaid allowance, before any court or magiſtrate having competent juriſdiction, according to the laws of the United States, or of any ſtate, in which action the certificate of the magiſtrate taking the ſaid examination ſhall be evidence.

Fees to the officers employed.

Sec. 9. *And be it further enacted*, That each judge, juſtice, chancellor, mayor, recorder, intendant and juſtice of the peace, who ſhall be neceſſarily employed, purſuant to the directions of this act, and all ſheriffs, conſtables, or other officers who may be employed to ſerve any of the warrants of ſummons or notifications here-

in provided for, ſhall have and receive from the party, at whoſe inſtance ſuch ſervice ſhall have been performed, ſuch fee or fees, as are or may be allowed for ſimilar ſervices in the ſtates wherein ſuch ſervice ſhall be rendered, reſpectively.

Sec. 10. *And be it further enacted*, That this act ſhall continue and be in force until the end of the firſt ſeſſion of the ſixth Congreſs, and no longer. Limitation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*
UNITED STATES, January 23, 1798: APPROVED,
JOHN ADAMS,
Preſident of the United States.

CHAPTER XXVI.

An Act providing for the payment of the intereſt on a certificate due to General Koſciuſko.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Secretary of the Treaſury be authoriſed and directed to pay to General Koſciuſko, out of any monies in the Treaſury, not otherwiſe appropriated, an intereſt at the rate of ſix per cent per annum, on the ſum of twelve thouſand, two hundred and eighty dollars, and fifty-four cents, the amount of a certificate due to him from the United States, from the firſt day of January, one thouſand ſeven hundred and ninety-three, to the thirty-firſt of December, one thouſand ſeven hundred and ninety-ſeven.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*
UNITED STATES: APPROVED, January 23, 1798.
JOHN ADAMS,
Preſident of the United States.

CHAPTER XXVII.

An Act to amend the ſeveral acts for laying duties on Spirits diſtilled within the United States, and on Stills.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That from and after the paſſing of this act, it ſhall be lawful for all owners of ſtills within the United States, which ſhall have been duly entered according to law, to make their election, at any time of the year, both as to the rate of duty which they may chooſe to pay for the employment of their ſaid ſtills, whether for a year, or for ſuch other ſhorter period, as may be allowed by law; and alſo as to the time of commencing ſuch employment.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

UNITED STATES: APPROVED, Jan. 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXVIII.

An Act ſupplementary to the act entituled, "An act regulating Foreign Coins; and for other purpoſes."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the ſecond ſection of an, act entituled, "An act regulating foreign coins; and for other purpoſes," be, and the ſame is hereby ſuſpended, for and during the ſpace of three years, from and after the firſt day of January, one thouſand ſeven hundred and ninety-eight, and until the end of the next ſeſſion of Congreſs thereafter, during which

time, the ſaid gold and ſilver coins ſhall be and continue a legal tender, as is provided in and by the firſt ſection of the act aforeſaid ; and that the ſame coins ſhall thereafter ceaſe to be ſuch tender.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

UNITED STATES, Feb. 1ſt, 1798: APPROVED,

JOHN ADAMS,

Preſident of the United States.

CHAPTER XXIX.

An Act directing the Secretary of War to place certain perſons on the penſion liſt.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Secretary for the Department of War, be, and he is hereby directed to place on the penſion liſt of the United States, the ſeveral perſons herein after named, who have been returned as penſion claimants by the judges of the ſeveral diſtricts, purſuant to the act of Congreſs paſſed the twenty-eighth day of February, one thouſand ſeven hundred and ninety-three, intituled, "An act to regulate the claims to invalid penſions," at the rates and proportions annexed to the names of the ſaid perſons reſpectively, that is to ſay:

Of the diſtrict of New-Hampſhire, Joſeph Goodrich, a private, half a penſion; Joſeph Patterſon, a private, half a penſion; Cæſar Barnes, a private, one-third of a penſion.

Of the diſtrict of Connecticut, John Downs, a ſerjeant, a full penſion; Obadiah Perkins, a lieutenant, one-fourth of a penſion.

Of the diſtrict of Vermont, Joſeph Tyler, a private, half a penſion; Peter Rider, a corporal, half a penſion; Iſaac Webſter, a ſerjeant, half a penſion; Ephraim Wilmarth, a ſerjeant, two-thirds of a penſion.

Of the diſtrict of New-York, Stephen Kellogg, a private, a full penſion; Garret Oblenis, a private, half a penſion; William Scott, a major, a full penſion; Finley Stewart, a batteau-man, three-fourths of a penſion; Godfrey Sweet, a private, a full penſion; Thomas Ward, a corporal, a full penſion.

Of the diſtrict of New-Jerſey, Minne L. Vorheis, a private, half a penſion; Samuel Hull, a ſerjeant, two-thirds of a penſion.

Of the diſtrict of Pennſylvania, Robert Wilſon, an enſign, one-fourth of a penſion.

Of the diſtrict of Delaware, Nelce Jones, a corporal, half a penſion.

Of the diſtrict of Maryland, Philip Caſſon, a lieutenant, a full penſion.

Of the diſtrict of Virginia, Joſhua Davidſon, a dragoon, three-fourths of a penſion; Jonathan Dyer, a private, a full penſion.

Of the diſtrict of North-Carolina, Daniel M'Kiſſick, a captain, half a penſion; Ithamar Singletary, a private, one-fourth of a penſion; William Simpſon, a private, half a penſion; Joſeph Waſſon, a private, a full penſion.

Of the diſtrict of Georgia; Herman Bird, a private, one-half of a penſion; Thomas Greer, a private, one-half of a penſion; John Guthrie, a private, one-half of a penſion; Alexander Irvine, a lieutenant, one-half of a penſion; Henry Kerr, a captain, one-half of a penſion; John Lindſay, a major, a full penſion; Hugh Lawſon, a captain, one-half of a penſion; James Lewis, a lieutenant, one-half of a penſion; John Ramſay, a private, one

half of a penſion; John Trent, a captain, one half of a penſion; Preſley Thornton, a corporal, one-half of a penſion.

Sec. 2. *And be it further enacted*, That the penſions allowed by this act, ſhall be eſtimated at the ſame rates, receivable on the ſame conditions, and payable in the ſame manner in all reſpects, as directed in like caſes, by the act of the twentieth day of April, one thouſand ſeven hundred and ninety-ſix, intituled, "An act authoriſing and directing the ſecretary at war to place certain perſons therein named, on the penſion liſt." How theſe penſions ſhall be eſtimated, received and paid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 2d, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXX.

An Act for the relief of William Alexander.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Accounting Officers of the Treaſury be, and they are hereby authoriſed and directed to ſettle the accounts of William Alexander, for his ſervices and expenſes, as a ſurveyor of army lands, appointed under the ordinance of Congreſs of July the ninth, one thouſand ſeven hundred and eighty-eight; and that he be allowed ſuch ſum for his ſaid ſervices and expenſes, as ſhall be deemed reaſonable.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 27, 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXI.

An Act appropriating a certain ſum of money to defray the expenſe of holding a treaty or treaties with the Indians.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That a ſum not exceeding twenty-five thouſand, eight hundred and eighty dollars, be appropriated to defray the expenſe of ſuch treaty or treaties, as the Preſident of the United States ſhall deem expedient to hold with the Indians: *Provided*, nothing in this act contained ſhall be conſtrued to admit an obligation on the part of the United States to extinguiſh, for the benefit of any ſtate or individual citizen, Indian claims to any lands lying within the limits of the United States, and that the compenſation to be allowed to any of the Commiſſioners appointed, or who may be appointed for negociating ſuch treaty or treaties, ſhall not exceed, excluſive of travelling expenſes, the rate of eight dollars per day, during the time of actual ſervice of ſuch Commiſſioner.

25,880 dollars appropriated.

Proviſo.

Sec. 2. *And be it further enacted*, That the ſum aforeſaid ſhall be paid out of any monies in the Treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

UNITED STATES: APPROVED, February 27, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXII.

An Act to provide for the widows and orphans of certain deceaſed officers.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America,*

in Congreſs aſſembled, That the proviſions for widows and orphans of commiſſioned officers of troops of the United States, contained in the firſt ſection of the law paſſed on the ſeventh day of June, one thouſand ſeven hundred and ninety-four, intituled "An act in addition to the act making further and more effectual proviſion for the protection of the frontiers of the United States," be and the ſame are hereby extended to the widows and orphan children of commiſſioned officers of the troops of the United States, and of the militia, who have died by reaſon of wounds received ſince the fourth day of March, one thouſand ſeven hundred and eighty-nine, in the actual ſervice of the United States: *Provided*, application ſhall be made within two years after the end of the preſent ſeſſion of Congreſs.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 14, 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXIII.

An Act for the erection of a light-houſe, and placing buoys at the ſeveral places therein mentioned.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That as ſoon as the juriſdiction of ſo much of the head land of Eaton's Neck, on Naſſau-Iſland, in the ſtate of New-York, as the Preſident of the United States ſhall deem ſufficient and moſt convenient for the purpoſe of erecting a light-houſe, and its appurtenances ſhall have been ceded to the

Light-houſe to be erected on Eaton's neck.

United States, it ſhall be the duty of the Secretary of the Treaſury, to provide, by contract, which ſhall be approved by the Preſident of the United States, for building a light houſe thereon, and furniſhing the ſame with all neceſſary ſupplies; and alſo to agree for the ſalaries or wages of the perſon or perſons who may be appointed by the Preſident for the ſuperintendance and care of building the ſaid light-houſe: And the Preſident is hereby authoriſed to make the ſaid appointments.

Buoys to be placed near Sandy-Hook, Goat Iſland and Nantucket.

Sec. 2. *And be it further enacted*, That the Secretary of the Treaſury be authoriſed and directed to cauſe to be placed, ſix buoys on the ſhoals called the eaſt and weſt banks, and the middle ground, near Sandy-Hook, off the harbour of New-York, and two buoys on the north and ſouth points of Goat-Iſland, near the entrance of the harbour of Newport, in the ſtate of Rhode-Iſland: and alſo, to cauſe to be placed ſuch number of buoys as may be neceſſary for the ſecurity of the navigation in and near the harbour of Nantucket, in the ſtate of Maſſachuſetts.

Appropriation therefor.

Sec. 3. *And be it further enacted*, That there be appropriated and paid, out of the monies ariſing from the duties on imports and tonnage, a ſum not exceeding thirteen thouſand two hundred and fifty dollars, for the purpoſes aforeſaid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 14, 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXIV.

An Act providing the means of intercourſe between the United States and foreign Nations.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States ſhall be, and he hereby is authoriſed to draw from the Treaſury of the United States, a ſum not exceeding forty thouſand dollars, annually, to be paid out of the monies ariſing from the duties on imports and tonnage, for the ſupport of ſuch perſons as he ſhall commiſſion to ſerve the United States in foreign parts, and for the expenſe incident to the buſineſs in which they may be employed: *Provided*, that excluſive of an outfit, which ſhall, in no caſe, exceed the amount of one year's full ſalary to the miniſter plenipotentiary, or chargé des affaires, to whom the ſame may be allowed, the Preſident ſhall not allow to any miniſter plenipotentiary, a greater ſum than at the rate of nine thouſand dollars per annum, as a compenſation for all his perſonal ſervices and expenſes; nor a greater ſum for the ſame, than four thouſand five hundred dollars per annum, to a chargé des affaires; nor a greater ſum for the ſame, than one thouſand three hundred and fifty dollars per annum, to the ſecretary of any miniſter plenipotentiary.

Preſident authorized to draw from the Treaſury, 40,000 dollars, annually.

Outfit of agents to foreign countries.

Limits of their compenſation.

Sec. 2. *And be it further enacted*, That in all caſes, where any ſum or ſums of money have iſſued, or ſhall hereafter iſſue from the treaſury, for the purpoſes of intercourſe or treaty, with foreign nations, in purſuance of any law, the Preſident ſhall be, and he hereby is authoriſed to cauſe the ſame to be duly ſet-

Manner of accounting for monies iſſued under the act.

tled annually with the accounting officers of the treaſury, in manner following, that is to ſay; by cauſing the ſame to be accounted for, ſpecifically in all inſtances wherein the expenditure thereof may, in his judgment, be made public; and by making a certificate or certificates, or cauſing the Secretary of State to make a certificate or certificates of the amount of ſuch expenditures as he may think it adviſable not to ſpecify; and every ſuch certificate ſhall be deemed a ſufficient voucher for the ſum or ſums therein expreſſed to have been expended.

Further appropriation for the year 1798.

Sec. 3. *And be it further enacted*, That for defraying the expenſes of intercourſe between the United States and foreign nations, during the year one thouſand ſeven hundred and ninety-eight, there be further appropriated, in addition to the aforeſaid ſum of forty thouſand dollars, and out of any monies in the treaſury of the United States not otherwiſe appropriated, the ſum of twenty-eight thouſand ſix hundred and fifty dollars.

Certain acts repealed.

Sec. 4. *And be it further enacted*, That the act paſſed on the firſt day of July, in the year one thouſand ſeven hundred and ninety, intituled, "An act providing the means of intercourſe between the United States and foreign nations," and the act paſſed on the ninth day of February, in the year one thouſand ſeven hundred and ninety-three, intituled, "An act to continue in force for a limited time, and amend the act, intituled, 'An act providing the means of intercourſe between the United States and foreign nations," ſhall be, and they hereby are repealed.

Limitation of the act.

Sec. 5. *And be it further enacted*, That this act ſhall be and remain in force until the end

of the firſt ſeſſion of the ſixth Congreſs, and no longer.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 19, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXV.

An Act making appropriations for the ſupport of government for the year one thouſand ſeven hundred and ninety-eight; and for other purpoſes.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That for the expenditure of the civil liſt; for the ſupport of conſuls to the coaſt of Barbary; for the ſupport of the mint eſtabliſhment, light-houſes, beacons, buoys and public piers, for the year one thouſand ſeven hundred and ninety-eight; and to ſatisfy certain miſcellaneous claims ſtated in the report of the Secretary of the Treaſury, of the eighth day of December, one thouſand ſeven hundred and ninety-ſeven, together with the incidental and contingent expenſes of the ſeveral departments, and the offices thereof, the following ſums be reſpectively appropriated: That is to ſay:—For the compenſations granted by law to the Preſident and Vice-Preſident of the United States, thirty thouſand dollars. Specific appropriations.

For the like compenſations to the members of the Senate and Houſe of Repreſentatives, their officers and attendants, eſtimated for a ſeſſion of ſix months continuance, one hundred and ninety thouſand, one hundred and ſeventy-five dollars.

Specific appropriations.

For the expenſe of fire-wood, ſtationery, printing-work, and all other contingent expenſes of the two Houſes of Congreſs, thirteen thouſand dollars.

For the compenſations granted by law to the chief juſtice, aſſociate judges, diſtrict judges, and attorney-general, forty-four thouſand nine hundred dollars.

For defraying the expenſe of clerks of courts, jurors and witneſſes, in aid of the fund ariſing from fines, forfeitures and penalties; and likewiſe for defraying the expenſes of proſecution for offences againſt the United States, and for ſafe-keeping of priſoners, thirty thouſand dollars.

For compenſation to the Secretary of State, clerks and perſons employed in that department, nine thouſand one hundred and ſixty-two dollars and thirty-four cents.

For incidental and contingent expenſes in the ſaid department, ſix thouſand five hundred and eighty dollars.

For compenſation to the Secretary of the Treaſury, clerks and perſons employed in his office, eight thouſand eight hundred and fifty dollars.

For expenſe of ſtationery, printing, and all other contingent expenſes in the office of the Secretary of the Treaſury, five hundred dollars.

For compenſation to the Comptroller of the Treaſury, clerks and perſons employed in his office, eleven thouſand eight hundred and fifty dollars.

For expenſe of ſtationery, printing, and all other contingent expenſes in the Comptroller's office, eight hundred dollars.

For compenſation to the Treaſurer, clerks, and other perſons employed in his office, four thouſand ſix hundred and fifty dollars.

For expenſe of fire-wood, ſtationery, printing, rent, and all other contingencies in the Treaſurer's office, ſix hundred dollars. Specific appropriations.

For compenſation to the Auditor of the Treaſury, clerks and perſons employed in his office, eleven thouſand nine hundred and twenty-five dollars.

For expenſe of ſtationery, printing and all other contingent expenſes in the Auditor's office, ſeven hundred and fifty dollars.

For compenſation to the Commiſſioner of the Revenue, clerks and perſons employed in his office, five thouſand five hundred and twenty-five dollars.

For expenſe of ſtationery, printing, and all other contingent expenſes in the office of the Commiſſioner of the Revenue, four hundred dollars.

For compenſation to the Regiſter of the Treaſury, clerks and perſons employed in his office, fifteen thouſand ſix hundred and twenty-five dollars.

For expenſe of ſtationery, printing, and all other contingent expenſes in the Regiſter's office, (including books for the public ſtocks, and for the arrangement of the marine papers) two thouſand eight hundred dollars.

For compenſation to the Purveyor of Public Supplies, two thouſand dollars, and five hundred dollars for a clerk.

For compenſation to the ſecretary of the Commiſſioners of the Sinking Fund, two hundred and fifty dollars.

For the payment of rent for the ſeveral houſes employed in the Treaſury Department, (except the Treaſurer's office) two thouſand ſeven hundred and thirty dollars and ſixty-ſix cents.

For expenſe of fire-wood and candles in the

Specific appropriations.

ſeveral offices of the Treaſury Department, (except the Treaſurer's office) three thouſand five hundred dollars.

For defraying the expenſe incident to the ſtating and printing the public accounts for the year one thouſand ſeven hundred and ninety-eight, one thouſand dollars.

For defraying the expenſe incident to the removal of the books and records of the Treaſury Department, and for the rent of a houſe for ſeveral of the officers near Gray's Ferry, on the Schuylkill, during part of the ſummer of the year one thouſand ſeven hundred and ninety-ſeven, four hundred and fifty-four dollars, and forty-one cents.

For compenſations to the ſeveral Loan Officers, thirteen thouſand two hundred and fifty dollars.

For compenſation to the Secretary of War, clerks and perſons employed in his office, eight thouſand one hundred dollars.

For expenſe of fire-wood, ſtationery, printing, rent and other contingent expenſes of the office of the Secretary of War, two thouſand dollars.

For compenſation to the Accountant of the War Department, clerks and perſons employed in his office, ſeven thouſand ſeven hundred and fifty dollars.

For contingent expenſes in the office of the Accountant of the War Department, ſix hundred dollars.

For compenſation to the Surveyor-General, two thouſand dollars.

For compenſation to the aſſiſtant ſurveyors, chain carriers, axe-men, and other perſons employed in carrying into effect the ſurveys to be made by the act, intituled "An act providing for the ſale of the lands of the United States,

in the territory north-weſt of the river Ohio, and above the mouth of Kentucky river," in addition to former appropriations, eight thouſand dollars. Specific appropriations.

For compenſation to the governor, ſecretary and judges of the territory north-weſt of the river Ohio, five thouſand one hundred and fifty dollars.

For expenſes of ſtationery, office rent, printing patents for land, and other contingent expenſes in the ſaid territory, three hundred and fifty dollars.

For the payment of ſundry penſions granted by the late government, one thouſand one hundred and thirteen dollars and thirty-three cents.

For the annual allowance to the widow and orphan children of Colonel John Harding, and to the orphan children of Major Alexander Trueman, by the act of Congreſs, of the twenty-ſeventh of February, one thouſand ſeven hundred and ninety-three, ſeven hundred and fifty dollars.

For the diſcharge of ſuch demands againſt the United States, on account of the civil department, not otherwiſe provided for, as ſhall be aſcertained and admitted in due courſe of ſettlement at the Treaſury, and which are of a nature, according to the uſuage thereof, to require payment in ſpecie, one thouſand dollars.

For the compenſations to conſuls to Barbary powers, for ſix months, the former appropriation being for one year, five thouſand dollars.

For compenſations to the following officers of the mint: the Director two thouſand dollars; the Treaſurer, one thouſand two hundred dol-

Specific appropriations.

lars; the Aſſayer, one thouſand five hundred dollars; the Chief-coiner, one thouſand five hundred dollars; the Melter and Refiner, one thouſand five hundred dollars; the engraver, one thouſand two hundred dollars; three clerks, at five hundred dollars each, one thouſand five hundred dollars.

For the wages of perſons employed at the different branches of melting, refining, coining, carpenter's, millwrights, and ſmith's work, including the ſum of eight hundred dollars per annum allowed to an aſſiſtant coiner and die forger, who alſo overſees the execution of the iron work, ſix thouſand dollars.

For the purchaſe of ironmongery, lead, wood, coals, ſtationery, office-furniture, and for all other contingencies of the eſtabliſhment of the mint, five thouſand ſeven hundred dollars.

For the maintenance and ſupport of light-houſes, beacons, buoys and public piers, and ſtakeage of channels, bars and ſhoals, and for occaſional improvement in the conſtruction of lanterns, and of the lamps and materials uſed in them, including an allowance for the increaſed number of light houſes, and for the advanced price of ſpermaceti oil, thirty-ſix thouſand dollars.

For the balance carried to the "ſurplus fund," of an appropriation for building a light houſe near the entrance of Georgetown harbour, in the ſtate of South Carolina, five thouſand dollars.

For the additional expenſe eſtimated as neceſſary for erecting the ſaid light houſe, two thouſand dollars.

For the payment of Nicholas Fiſh, ſurperviſor of the revenue for the diſtrict of New-York, ſo much ſhort of an appropriation for

the purchaſe of land at Montock-point, in the ſtate of New-York, for the purpoſe of erecting a light houſe thereon, two hundred and fifty five dollars and twelve cents. Specific appropriations.

For the purchaſe of preſſes, the engraving of dies, and other expenſes incident to the preparations made and to be made, for executing the act, intituled "An act laying duties on ſtamped vellum, parchment and paper," paſſed the ſixth day of July, one thouſand ſeven hundred and ninety-ſeven, nine thouſand dollars.

For the expenſe incurred by the committee of the houſe of Repreſentatives, on the impeachment of William Blount; for the compenſation of the members, and for incidental charges as eſtimated by the chairman of the committee, two thouſand ſix hundred and twenty-ſix dollars.

For the diſcharge of ſuch miſcellaneous demands againſt the United States, not otherwiſe provided for, as ſhall have been admitted in a due courſe of ſettlement at the Treaſury, and which are of a nature, according to the uſage thereof, to require payment in ſpecie, four thouſand dollars.

Sec. 2. *And be it further enacted*, That the ſeveral appropriations herein before made, ſhall be paid and diſcharged out of the fund of ſix hundred thouſand dollars, reſerved by the act "making proviſion for the debt of the United States," together with ſo much as may be neceſſary of the proceeds of the duties on imports, and the tonnage of ſhips and veſſels, and the duties on domeſtic diſtilled ſpirits and ſtills, which ſhall accrue until the cloſe of the preſent year.

Sec. 3. *And be it further enacted*, That there ſhall be, and hereby is further appropriated, to be paid out of any monies in the Treaſury

Specific appropriations.

of the United States not otherwiſe appropriated, the following ſums, to wit:

For the payment of awards by the commiſſioners appointed in purſuance of the ſixth article of the treaty of Amity, Commerce and Navigation, between the United States, and Great-Britain, relative to the debts due by citizens of the United States, to Britiſh ſubjects, three hundred thouſand dollars.

For defraying the extraordinary expenſes of aſcertaining the river St. Croix, under the fifth article of the ſaid treaty, twelve thouſand dollars.

For defraying the extraordinary expenſe of running and marking the boundary line between the territories of the United States and Spain, twelve thouſand dollars.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 19, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXVI.

An Act for the relief of Sylvanus Crowell.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That if it ſhall be proved to the ſatisfaction of the collector of the port of Barnſtable, in the ſtate of Maſſachuſetts, that agreements were made according to the direction of the act, intituled, "An act concerning certain fiſheries of the United States, and for the regulation and government of the

fiſhermen employed therein," between the maſters and fiſhermen employed on board the ſchooners Jeruſha, Phœbe, and Ruth, belonging to Yarmouth, in the ſtate aforeſaid, counterſigned by the owners, or their agent, for a fiſhing voyage, in the year one thouſand ſeven hundred and ninety-ſix; and that the ſaid agreements were caſually deſtroyed by fire; then, and in ſuch caſe, the ſaid collector is authoriſed and directed to make and pay to the ſaid Sylvanus Crowell, or other agent of the owners of the ſaid ſchooners, ſuch allowance as they would have been entitled to, under the act aforeſaid, provided the ſaid agreements had been produced to ſaid collector.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 19, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXVII.

An Act to amend the act intituled "An act laying duties on ſtamped Vellum, Parchment and Paper."

Deduction on the purchaſe of ſtamped paper, &c. where the duties amount to more than 10 dollars.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That whenever any perſon, other than officers employed in collecting the revenue of the United States, ſhall apply to any ſupervifor or inſpector of the ſaid revenue, at the office of ſuch ſupervifor or inſpector, for the purchaſe, at one time, of any quantity of vellum, parchment, or paper, ſtamped and marked in the manner directed

by the act, intituled "An act laying duties on ſtamped vellum, parchment and paper," the whole amount of the duties on which quantity ſhall be ten dollars, or upwards, ſuch ſupervifor or inſpector ſhall be and hereby is authoriſed and required to deliver to ſuch perſon, ſuch quantity of vellum, parchment or paper, ſtamped as aforeſaid; the ſaid perſon paying down the amount of the ſaid duties, after deducting therefrom ſeven and one half per centum on ſuch amount; which deduction the ſaid ſupervifor or inſpector is hereby authoriſed and required to allow.

In ſuch caſe, purchaſer to pay the value of the vellum alſo, which ſhall be fixed by the Secretary of the Treaſury.

Sec. 2. *And be it further enacted*, That whenever any ſtamped vellum, or parchment, ſhall be applied for, and delivered, in the manner aforeſaid, the ſaid purchaſer, in order to become entitled to the aforeſaid deduction, ſhall pay to the ſaid ſupervifor, or inſpector, in addition to the amount of the ſaid duties, a reaſonable rate for and on account of the price of the ſaid vellum, or parchment, which rate the Secretary of the Treaſury is hereby authoriſed and required to fix, as nearly as may be, according to the actual coſt of thoſe articles.

The ſame deduction to be made where paper is brought to be ſtamped.

Sec. 3. *And be it further enacted*, That whenever any perſon, other than officers employed in the collection of the revenue of the United States, ſhall bring any vellum, parchment, or paper, to be ſtamped, in the manner directed by the aforeſaid act, in any quantity at one time, the whole amount of the duties for ſtamping, which ſhall be ten dollars, or upwards, the officer ſtamping ſuch vellum, parchment or paper, purſuant to the directions of the ſaid act, ſhall be, and hereby is authoriſed and required to make to ſuch perſon the ſame allowance and deduction on the amount of the ſaid duties, as is directed by the firſt ſection of

this act, to be made in the cases therein mentioned.

Sec. 4. *And be it further enacted*, That the stamped paper, required by the aforesaid act to be furnished to the citizens of the United States, by the Treasury department, shall be furnished at the rate of duty provided by that act, without any additional charge on account of the price of paper, or any other expense, any thing in the said act to the contrary notwithstanding; and that all paper for the purposes aforesaid, shall be furnished at the expense of the United States, by the Secretary of the Treasury department, who is hereby authorised to employ annually a sufficient sum for that purpose, and for the necessary purchase of vellum and parchment, out of any monies in the treasury of the United States, not otherwise appropriated: *Provided* always, That nothing herein contained, shall be so construed, as to require the Treasury department to furnish any stamped vellum, or parchment, without an additional charge for the price of those materials, over and above the duty on the stamp; which price, in all cases where stamped vellum, or parchment, shall be furnished, the Secretary of the department is hereby authorised and required to fix, as nearly as may be, according to the actual cost of those articles, respectively.

No additional charge for the paper.

Secretary of the Treasury to employ a sufficient sum for the purchase of paper, &c.

Provided that the price of vellum & parchment shall be paid by applicants, in addition to the duties.

Sec. 5. *And be it further enacted*, That so much of the aforesaid act as relates to stamp duties on "any certificate or debenture for drawback of customs or duties," shall be, and the same is hereby repealed; and that in lieu of the said stamp duties, one fourth per centum on the amount of all drawbacks, allowed by law, on the exportation of goods, wares, and merchandize imported, shall be retained for the use of the United States, by the collectors paying

Stamp duties on debentures repealed; and in lieu thereof, Collectors to retain 1-4th per cent on drawbacks.

ſuch drawbacks; and in addition to the ſum of one per centum directed to be ſo retained by the act, intituled "An act to provide more effectually for the collection of the duties impoſed by law on goods, wares, and merchandizes imported into the United States, and on the tonnage of ſhips or veſſels."

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 19, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXVIII.

An Act declaring the conſent of Congreſs to an act of the Commonwealth of Maſſachuſetts.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the conſent of Congreſs be, and hereby is granted and declared to the operation of an act of the Legiſlature of the Commonwealth of Maſſachuſetts, made and paſſed the ſecond day of February, one thouſand ſeven hundred and ninety-eight, intituled "An act to incorporate Tobias Lord, Oliver Keating, Thatcher Godard, and others, for the purpoſe of keeping in repair a pier, at the mouth of Kennebunk river, and to grant them a duty for reimburſing the expenſe of erecting the ſame."

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 27, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XXXIX.

An Act declaring the consent of Congress to an act of the State of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, for the appointment of a Health-officer.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the consent of Congress be, and is hereby granted and declared, to the operation of an act of the General Assembly of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety three, intituled "An act to appoint a Health-officer for the port of Baltimore, in Baltimore county," so far as to enable the State aforesaid, to collect a duty of one cent per ton, on all vessels coming into the district of Baltimore, from a foreign voyage, for the purposes in said act intended.

Sec. 2. *And be it further enacted,* That this act shall be in force for one year from the passing thereof, and from thence to the end of the next session of Congress thereafter, and no longer.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, March 27, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER XL.

An Act for an additional appropriation to provide and support a Naval Armament.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States*

Additional appropriations for completing & equipping the frigates.

of America, in Congreſs aſſembled, That there be and there hereby are appropriated a further ſum, not exceeding one hundred and fifteen thouſand, eight hundred and thirty-three dollars, to complete and equip for ſea, with all convenient ſpeed, the frigates, the United States, the Conſtitution and the Conſtellation; and a further ſum, not exceeding two hundred and ſixteen thouſand ſix hundred and ſeventy-nine dollars, for the pay and ſubſiſtence, for the term of one year, of the officers and crews which are, or ſhall be engaged in the ſervice of the United, States on board the ſaid frigates. in addition to the ſums heretofore appropriated for thoſe purpoſes, reſpectively, remaining unexpended; alſo, a ſum not exceeding ſixty thouſand dollars, to defray the wear, loſſes, expenditures of ammunition, and other current aud contingent expenſes of the naval armament; alſo a ſum not exceeding two thouſand two hundred dollars, to defray the ſalaries of perſons having charge of the navy yards at Norfolk, New-York, and Portſmouth; and for the rents of the ſame.

For pay and ſubſiſtence of the officers and crews therof;

For contingencies of the naval armament;

For ſalaries of officers and rent of the navy yards.

Sec. 2. *And be it further enacted*, That the ſum hereby appropriated, ſhall be paid and diſcharged out of the ſurplus revenue and income of the current year, not before appropriated.

Out of what fund the monies are to be paid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 27, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XLI.

An Act to continue in force the fifth ſection of an Act, intituled "An act in addition to the act intituled 'An act to eſtabliſh the poſt-office and poſt-roads within United States."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the fifth ſection of the act, intituled "An act in addition to the act, intituled 'An act to eſtabliſh the poſt office and poſt-roads within the United States," which ſection will expire on the thirty firſt day of March, one thouſand ſeven hundred and ninety-eight, ſhall be, and the ſame is hereby continued in force to the third day of March next.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, March 28, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XLII.

An Act to continue in force, for a limited time, a part of an Act intituled "An act making further proviſion for ſecuring and collecting the duties on foreign and domeſtic diſtilled ſpirits, ſtills, wines, and teas."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the thirteenth ſection of the act paſſed on the fifth day of June, one thouſand ſeven hundred and ninety-four, and intituled "An act making further proviſion for ſecuring and collecting the duties on foreign and domeſtic diſtilled ſpirts, ſtills, wines and tea," be, and the ſame hereby is continued

in force, until the end of the firſt ſeſſion of the ſixth Congreſs.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 7, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XLIII.

An Act for the relief of the Refugees from the Britiſh provinces of Canada and Nova-Scotia.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That to ſatisfy the claims of certain perſons claiming lands under the reſolutions of Congreſs, of the twenty-third of April, one thouſand ſeven hundred and eighty-three, and the thirteenth of April, one thouſand ſeven hundred and eighty-five, as refugees from the Britiſh provinces of Canada and Nova-Scotia, the Secretary of the Department of War, be, and is hereby authoriſed and directed, to give notice in one or more of the public papers of each of the ſtates of Vermont, Maſſachuſetts, New-York, New-Hampſhire, and Pennſylvania, to all perſons having claims under the ſaid reſolutions, to tranſmit to the War-office, within two years after the paſſing of this act, a juſt and true account of their claims to the bounty of Congreſs.

Secretary of War to give notice to claimants.

Sec. 2. *And be it further enacted,* That no other perſons ſhall be entitled to the benefit of the proviſions of the act, than thoſe of the following deſcriptions, or their widows and heirs, viz. Firſt; thoſe heads of families, and ſingle perſons, not members of any ſuch families, who were reſidents in one of the pro-

What deſcriptions of perſons are entitled to the benefit of the act.

vinces aforeſaid, prior to the fourth day of July, one thouſand ſeven hundred and ſeventy-ſix, and who abandoned their ſettlements, in conſequence of having given aid to the United Colonies or States, in the revolutionary war againſt Great-Britain, or with intention to give ſuch aid, and continued in the United States, or in their ſervice, during the ſaid war, and did not return to reſide in the dominions of the king of Great-Britain, prior to the twenty-fifth of November, one thouſand ſeven hundred and eighty-three. Secondly, the widows and heirs of all ſuch perſons as were actual reſidents, as aforeſaid, who abandoned their ſettlements as aforeſaid, and died within the United States, or in their ſervice, during the ſaid war: And thirdly, all perſons who were members of families at the time of their coming into the United States, and who, during the war, entered into their ſervice.

Before whom proof of facts may be taken.

Sec. 3. *And be it further enacted*, That the proof of the ſeveral circumſtances neceſſary to entitle the applicants to the benefits of this act, may be taken before a judge of the ſupreme or diſtrict court, of the United States, or a judge of the ſupreme or ſuperior court, or the firſt juſtice or firſt judge of the court of common-pleas or county court of any ſtate.

Secretary of War & Secretary & Comptroller of the Treaſury to examine & report upon the claims.

Sec. 4. *And be it further enacted*, That at the expiration of fifteen months, from and after the paſſing of this act, and from time to time thereafter, it ſhall be the duty of the Secretary for the Department of War, to lay ſuch evidence of claims as he may have received, before the Secretary and Comptroller of the Treaſury, and with them, proceed to examine the teſtimony, and give their judgment what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their reſpective ſervices, ſacrifices and ſufferings, in conſequence of their attachment to

the cauſe of the United States; allowing to thoſe of the firſt claſs, a quantity not exceeding one thouſand acres; and to the laſt claſs, a quantity not exceeding one hundred, making ſuch intermediate claſſes as the reſolutions aforeſaid, and diſtributive juſtice, may, in their judgment, require; and make report thereof to Congreſs. And in caſe any ſuch claimant ſhall have ſuſtained ſuch loſſes and ſufferings, or performed ſuch ſervices for the United States, that he cannot juſtly be claſſed in any one general claſs, a ſeparate report ſhall be made of his circumſtances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided*, That in conſidering what compenſation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States, or individual ſtates, ſhall be conſidered at the juſt value thereof, at the time the ſame were made, reſpectively, either in whole or in part, as the caſe may be, a ſatisfaction to thoſe who may have received the ſame: *Provided alſo*, that no claim under this law, ſhall be aſſignable until after report made to Congreſs, as aforeſaid, and until the ſaid lands be granted to the perſons entituled to the benefit of this act.

In what manner their judgment thereon is to be regulated.

Claims not aſſignable until grants are made

Sec. 5. *Be it further enacted*, That all claims, in virtue of ſaid reſolutions of Congreſs, which ſhall not be exhibited as aforeſaid, within the time by this act limited, ſhall forever thereafter be barred.

Limitation of claims.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 7, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XLIV.

An Act to continue in force, the act, intituled "An act prohibiting, for a limited time, the exportation of arms and ammunition; and for encouraging the importation thereof."

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the first, second, third and fourth sections of the act, intituled "An act prohibiting, for a limited time, the exportation of arms and ammunition; and for encouraging the importation thereof," be, and are hereby continued in force for one year, from and after the present session of Congress, and from thence to the end of the next session of Congress thereafter, and no longer.

Four first sections continued.

Sec. 2. *And be it further enacted,* That the fifth section of the said act, except so much thereof as relates to the importation of sulphur and salt-petre, be, and is hereby continued in force for one year from and after the fourteenth day of June next, and from thence to the end of the next session of Congress thereafter, and no longer; and that so much of the said fifth section, as relates to the importation of sulphur and salt-petre, be, and is hereby continued in force for one year from and after the fourteenth day of June, in the year of our Lord one thousand eight hundred, and from thence to the end of the next session of Congress thereafter, and no longer.

Part of the fifth section continued.

The remaining part of the 5th section continued.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, April 7, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER XLV.

An Act for an amicable ſettlement of limits with the ſtate of Georgia, and authorizing the eſtabliſhment of a government in the Miſſiſippi territory.

Preſident authorized to appoint Commiſſioners to adjuſt the interfering claims to certain territory;

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States be, and he hereby is authoriſed to appoint three commiſſioners; any two of whom ſhall have power to adjuſt and determine with ſuch commiſſioners as may be appointed under the legiſlative authority of the ſtate of Georgia, all interfering claims of the United States and that ſtate, to territory ſituate weſt of the river Chatahouchee, north of the thirty-firſt degree of north latitude, and ſouth of the ceſſion made to the United States by South-Carolina: And alſo to receive any propoſals for the relinquiſhment or ceſſion of the whole or any part of the other territory claimed by the ſtate of Georgia, and out of the ordinary juriſdiction thereof.

and to receive propoſals for the ceſſion of other territory claimed by Georgia.

Lands aſcertained to be the property of the U. S. how to be diſpoſed of.

Sec. 2. *Be it further enacted*, That all the lands thus aſcertained as the property of the United States, ſhall be diſpoſed of in ſuch manner as ſhall be hereafter directed by law; and the nett proceeds thereof ſhall be applied to the ſinking and diſcharging the public debt of the United States, in the ſame manner as the proceeds of the other public lands in the territory north-weſt of the river Ohio.

Certain territory conſtituted a diſtrict, to be called the Miſſiſippi territory.

Sec. 3. *Be it further enacted*, That all that tract of country bounded on the weſt by the Miſſiſippi; on the north by a line to be drawn due eaſt from the mouth of the Yaſous to the Chatahouchee river; on the eaſt by the river Chatahouchee; and on the ſouth by the thirty-

firſt degree of north latitude, ſhall be, and hereby is conſtituted one diſtrict, to be called the Miſſiſippi Territory: And the Preſident of the United States is hereby authorized to eſtabliſh therein a government in all reſpects ſimilar to that now exerciſed in the territory north-weſt of the river Ohio, excepting and excluding the laſt article of the ordinance made for the government thereof by the late Congreſs on the thirteenth day of July one thouſand ſeven hundred and eighty-ſeven, and by and with the advice and conſent of the Senate, to appoint all the neceſſary officers therein, who ſhall reſpectively receive the ſame compenſations for their ſervices; to be paid in the ſame manner as by law eſtabliſhed for ſimilar officers in the territory north-weſt of the river Ohio; and the powers, duties and emoluments of a ſuperintendant of Indian affairs for the ſouthern department, ſhall be united with thoſe of governor: *Provided always*, That if the Preſident of the United States ſhould find it moſt expedient to eſtabliſh this government in the receſs of Congreſs, he ſhall nevertheleſs have full power to appoint and commiſſion all officers herein authoriſed; and their commiſſions ſhall continue in force until the end of the ſeſſion of Congreſs next enſuing the eſtabliſhment of the government.

Preſident authorized to eſtabliſh a government and appoint officers therein.

Sec. 4. *Be it further enacted*, That the territory hereby conſtituted one diſtrict for the purpoſes of government, may at the diſcretion of Congreſs be hereafter divided into two diſtricts, with ſeparate territorial governments in each, ſimilar to that eſtabliſhed by this act.

Congreſs may hereafter divide it into two diſtricts.

Sec. 5. *Be it further enacted*, That the eſtabliſhment of this government ſhall in no reſpect impair the right of the ſtate of Georgia, or of any perſon or perſons either to the juriſdiction or the ſoil of the ſaid territory, but the rights

Saving of the right of Georgia and of individuals to the juriſdiction or ſoil thereof.

and claims of the ſaid ſtate and all perſons intereſted are hereby declared to be as firm and available, as if this act had never been made.

The people of this territory to be entitled to certain rights, &c.

Sec. 6. *And be it further enacted*, That from and after the eſtabliſhment of the ſaid government, the people of the aforeſaid territory, ſhall be entitled to and enjoy all and ſingular the rights, privileges and advantages granted to the people of the territory of the United States, north-weſt of the river Ohio, in and by the aforeſaid ordinance of the thirteenth day of July, in the year one thouſand ſeven hundred and eighty-ſeven, in as full and ample a manner as the ſame are poſſeſſed and enjoyed by the people of the ſaid laſt mentioned territory.

Penalty on the importation of ſlaves from foreign parts.

Sec. 7. *And be it further enacted*, That from and after the eſtabliſhment of the aforeſaid government, it ſhall not be lawful for any perſon or perſons to import or bring into the ſaid Miſſiſippi territory, from any port or place, without the limits of the United States, or to cauſe or procure to be ſo imported or brought, or knowingly to aid or aſſiſt in ſo importing or bringing any ſlave or ſlaves, and that every perſon ſo offending, and being thereof convicted before any court within the ſaid territory, having competent juriſdiction, ſhall forfeit and pay, for each and every ſlave ſo imported or brought, the ſum of three hundred dollars; one moiety for the uſe of the United States, and the other moiety for the uſe of any perſon or perſons who ſhall ſue for the ſame; and that every ſlave, ſo imported or brought, ſhall thereupon become entitled to, and receive his or her freedom.

10,000 dollars appropriated for carrying the act into effect.

Sec. 8. *And be it further enacted*, That the ſum of ten thouſand dollars be, and hereby is appropriated, for the purpoſe of enabling the Preſident of the United States to carry into

effect the provisions of this act; and that the said sum be paid out of any monies in the treasury not otherwise appropriated.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, April 7, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER XLVI.

An Act authorizing an expenditure, and making an appropriation for the reimbursement of monies advanced by the Consuls of the United States, in certain cases.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State be, and hereby is authorized, under the direction of the President of the United States, to reimburse such reasonable advances of money as have been made, or, during the present year, shall be made by the Consuls of the United States, in making and supporting the claims of American citizens to captured property, before the tribunals of foreign countries; or for the relief of sick and destitute seamen in foreign countries, beyond the sum already allowed by law, for that purpose.

Secretary of State authorized to reimburse advances made by the consuls.

Sec. 2. *And be it further enacted*, That for the purposes aforesaid, there be, and hereby is appropriated, a sum not exceeding thirty thousand dollars, which shall be paid from any mo-

30,000 dollars appropriated.

nies which may be in the Treaſury, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 18, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XLVII.

An Act ſupplementary to an act, intituled "An act authorizing a loan for the uſe of the city of Waſhington, in the diſtrict of Columbia; and for other purpoſes therein mentioned."

Preſident may cauſe 100,000 dols. to be loaned to the commiſſioners of the city of Waſhington.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States be, and he hereby is authorized to cauſe to be loaned to the commiſſioners appointed under the act, intituled "An act for eſtabliſhing the temporary and permanent ſeat of the government of the United States," the ſum of one hundred thouſand dollars, fifty thouſand of which ſhall be advanced in the preſent year, and the remaining fifty thouſand ſhall be advanced in the year one thouſand ſeven hundred and ninety-nine, at an intereſt of ſix per cent. per annum, to be computed upon each inſtalment, from the time it ſhall be advanced; which ſum of one hundred thouſand dollars is declared to be in full of the monies which the ſaid commiſſioners are now authorized to borrow, under the direction of the Preſident of the United States, by virtue of the act, intituled "An act authorizing a loan for the uſe of the city of Waſhington, in the diſtrict of Columbia; and for other purpoſes therein mentioned.

How the loan is to be reimburſed.

Sec. 2. *Be it further enacted*, That the ſum herein authorized to be borrowed ſhall be re-

imburſed by inſtalments of one-fifth part of ſaid loan, and the intereſt thereon, commencing in the year one thouſand eight hundred and five, and continuing, annually thereafter, till the whole ſhall be repaid; and all the lots in the city of Waſhington, now veſted in the ſaid commiſſioners, or in truſtees, in any manner, for the uſe of the United States, and now remaining unſold, excepting thoſe ſet apart for public purpoſes, ſhall be, and are hereby declared and made chargeable with the re-payment of the ſums which ſhall be advanced, in purſuance of this act, and the intereſt accruing thereon, and ſhall be diſpoſed of in the manner, and under the regulations preſcribed by the act herein laſt mentioned.

Appropriation.

Sec. 3. *And be it further enacted*, That the ſum of fifty thouſand dollars for the preſent year, and of fifty thouſand dollars for the next ſucceeding year, be, and hereby are appropriated for the purpoſes aforeſaid, out of any money in the Treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 18, 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER XLVIII.

An Act to provide an additional armament for the further protection of the trade of the United States; and for other purpoſes.

Preſident authorized to cauſe a number of armed veſſels, not exceeding 12, to be procured and fitted out.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States ſhall be, and he is hereby authorized and empowered, to cauſe to

be built, purchaſed or hired, a number of veſſels, not exceeding twelve, nor carrying more than twenty-two guns each, to be armed, fitted out and manned under his direction.

Number and grade of officers, pay, ſubſiſtence, term of ſervice, &c.

Sec. 2. *And be it further enacted*, That the number and grade of the officers to be appointed for the ſervice of the ſaid veſſels, ſhall be fixed by the Preſident of the United States, as well as the number of men, of which the reſpective crews ſhall be compoſed, who, as well officers as ſeamen and marines, ſhall receive the ſame pay and ſubſiſtence, be entitled to the ſame advantages and compenſations, be governed by the ſame rules and regulations, and be engaged for the ſame time, and on the ſame conditions, as by an act of the United States, paſſed the firſt of July, one thouſand ſeven hundred and ninety-ſeven, entitled "An act providing a naval armament," is aſcertained and eſtabliſhed, as fully, as if the particular proviſions of that act, having reference thereto, were herein inſerted at large. *Provided always, and be it further enacted*, That the Preſident of the United States be, and he is hereby authorized to cauſe the term of enliſtment of the ſeamen and marines, to be employed in any veſſel of the United States, to be extended beyond one year, if the veſſel ſhould then be at ſea, and until ten days after ſuch veſſel ſhall arrive in ſome convenient port of the United States, thereafter; any thing contained in this act, or in the act intituled "An act providing a naval armament" to the contrary notwithſtanding.

During the receſs of the Senate the Preſident may appoint officers.

Sec. 3. *And be it further enacted*, That the officers of the aforeſaid veſſels may, during the receſs of the Senate, be appointed and commiſſioned by the Preſident alone.

Sec. 4. *And be it further enacted*, That the ſum of nine hundred and fifty thouſand dollars

be and are hereby appropriated out of any monies, in the treaſury of the United States, beyond the appropriations that may heretofore have been charged thereon, for the purpoſe of carrying the objects of this act into effect. Appropriation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH : JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 27, 1798 :
JOHN ADAMS,
Preſident of the United States.

CHAPTER XLIX.

An Act making an appropriation for the payment of a balance found due to the legal repreſentatives of William Carmichael, deceaſed.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the ſum of nine thouſand ſix hundred and ſixty dollars, and fourteen cents, be, and the ſame hereby is appropriated out of any monies in the Treaſury of the United States, not otherwiſe appropriated, for diſcharging the balance found due to the legal repreſentatives of William Carmichael, deceaſed, late Chargé des Affaires from the United States in Spain, upon the ſettlement of the accounts between the ſaid William Carmichael and the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives..*
TH : JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 27, 1798 :
JOHN ADAMS,
Preſident of the United States.

CHAPTER L.

An Act to provide an additional regiment of artilleriſts and engineers.

Additional regiment ſhall be engaged for five years.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That an additional regiment of artilleriſts and engineers ſhall and may be engaged, by voluntary enliſtments, to ſerve for the term of five years, unleſs ſooner diſcharged, and to be organized as follows; that is to ſay: There ſhall be one Lieutenant Colonel Commandant, one adjutant, one ſurgeon and three battalions, each to conſiſt of one major, one adjutant and paymaſter, one ſurgeon's mate, and four companies, of one captain, two lieutenants, two cadets with the pay, clothing and rations of a ſerjeant, four ſerjeants, four corporals, forty-two privates, ſappers and miners, ten artificers to ſerve as privates, and two muſicians, in each company.

Organization thereof.

To form a part of the military eſtabliſhment.

Sec. 2. *And be it further enacted,* That the additional regiment which ſhall be raiſed purſuant to this act, ſhall be conſidered as a part of the military eſtabliſhment of the United States, for the time being; and the commiſſioned officers, non-commiſſioned officers, privates, artificers and muſicians, who ſhall engage in the ſaid regiment, ſhall be entitled to the ſame bounty, pay and allowances, reſpectively, according to their correſpondent ranks, as are, or ſhall be, by law, authorized and provided for the other parts of the ſame eſtabliſhment, and ſhall be governed by the ſame rules and articles of war, and ſhall be armed and accoutred, in ſuch manner as the Preſident of the United States ſhall direct, and ſhall and may be employed by him, in detachments, or otherwiſe, in the field, or the fortifications upon the ſea-coaſt,

Bounty, pay, &c.

as, in his opinion, the public ſervice ſhall require.

Sec. 3. *And be it further enacted*, That the Secretary of War ſhall provide, at the public expenſe, under the direction of the Preſident of the United States, all neceſſary books, inſtruments and apparatus, for the uſe and benefit of the ſaid regiment. Neceſſary books, &c. to be provided.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 27, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LI.

An Act for erecting light-houſes, and placing buoys and ſtakes at the places therein-mentioned.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That as ſoon as a ceſſion ſhall be made by the ſtate of Virginia to the United States, of the juriſdiction over a tract of land proper for the purpoſe, the Secretary of the Treaſury be, and he is hereby authorized to provide, by contract, to be approved by the Preſident of the United States, for building a light-houſe on Old Point Comfort, in the ſaid ſtate, and to furniſh the ſame with all neceſſary ſupplies; and alſo to agree for the ſalaries or wages of the perſon or perſons who may be appoitned by the Preſident for the ſuperintendance and care of the ſame; and that the Preſident be authorized to make the ſaid appointments; and alſo, that the Secretary of the Treaſury be authorized to cauſe ſix buoys to be placed near the entrance of Portland har- Light-houſe to be built on Old Point Comfort. Buoys to be placed near the entrance of Portland Harbour

bour, in the ſtate of Maſſachuſetts, at ſuch places as, in his opinion, will beſt ſecure the navigation of the ſaid port; and to cauſe the channel of Warren river, from Narraganſet Bay, to the port of Warren, in the ſtate of Rhode-Iſland, to be ſtaked out and diſtinctly marked.

Warren river to be ſtaked.

Sec. 2. *And be it further enacted*, That there be appropriated and paid, out of the monies ariſing from imports and tonnage, the ſum of three thouſand and fifty dollars, for the purpoſes aforeſaid.

Appropriation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, April 27, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LII.

An Act to eſtabliſh an Executive Department, to be denominated the Department of the Navy.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there ſhall be an Executive Department under the denomination of the Department of the Navy, the chief officer of which ſhall be called the Secretary of the Navy, whoſe duty it ſhall be, to execute ſuch orders as he ſhall receive from the Preſident of the United States, relative to the procurement of naval ſtores and materials, and the conſtruction, armament, equipment and employment of veſſels of war, as well as all other matters connected with the naval eſtabliſhment of the United States.

Secretary of the Navy—his duty.

Sec. 2. *And be it further enacted*, That a principal clerk and ſuch other clerks as he ſhall

He may appoint clerks.

think neceſſary, ſhall be appointed by the Secretary of the Navy, who ſhall be employed in ſuch manner as he ſhall deem moſt expedient. In caſe of vacancy in the office of the Secretary, by removal or otherwiſe, it ſhall be the duty of the principal clerk to take the charge and cuſtody of all the books, records and documents of the ſaid office.

He may take poſſeſſion of the books, &c. in War Office, which relate to his department.

Sec. 3. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby authorized and empowered immediately after he ſhall be appointed, and ſhall enter upon the duties of his office, to take poſſeſſion of all the records, books and documents, and all other matters and things appertaining to this department, which are now depoſited in the office of the Secretary at War.

Salary of the Secretary and his clerks.

Sec. 4. *And be it further enacted*, That there ſhall be allowed to the Secretary of the Navy, an annual ſalary of three thouſand dollars, payable quarter-yearly at the Treaſury of the United States, and the reſpective clerks in the office of the ſaid department ſhall receive the ſame compenſations and be ſubject to the ſame regulations, as are provided by an act, ſupplemental to the act, eſtabliſhing the Treaſury department, and for a further compenſation to certain officers, in the offices of the other executive departments.

Part of the act eſtabliſhing the War Department repealed.

Sec. 5. *And be it further enacted*, That ſo much of an act, entitled, "An act to eſtabliſh an executive department, to be denominated the department of war," as veſts any of the powers contemplated by the proviſions of this act, in the ſecretary for the department of war, ſhall be repealed, from and after the period

when the ſecretary of the navy ſhall enter on the duties of his office.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States and Preſident of the Senate.*

APPROVED, April 30, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LIII.

An Act to authorize certain officers and other perſons to adminiſter oaths.

Preſident of the Senate, Speaker, &c. authorized to adminiſter oaths, &c. to witneſſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the Senate, the Speaker of the Houſe of Repreſentatives, a chairman of a committee of the whole, or a chairman of a ſelect committee of either Houſe, ſhall be empowered to adminiſter oaths or affirmations to witneſſes, in any caſe under their examination.

Penalty on ſwearing falſely.

Sec. 2. *And be it further enacted*, That if any perſon ſhall wilfully, abſolutely and falſely ſwear or affirm, touching any matter or thing material to the point in queſtion, whereto he or ſhe ſhall be thus examined, every perſon ſo offending, and being thereof duly convicted, ſhall be ſubjected to the pains, penalties and diſabilities, which by law are preſcribed for the puniſhment of the crime of wilful and corrupt perjury.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 3, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LIV.

An Act ſupplementary to the act providing for the further defence of the ports and harbours of the United States.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That a ſum not exceeding two hundred and fifty thouſand dollars, in addition to the ſums heretofore appropriated, remaining unexpended, ſhall be, and is hereby appropriated, and ſhall and may be paid out of any monies not before appropriated, to make and compleat, at the diſcretion of the Preſident of the United States, the fortifications heretofore directed for certain ports and harbours, and to erect fortifications in any other place or places as the public ſafety ſhall require, in the opinion of the Preſident of the United States; and which other fortifications he is hereby authorized to cauſe to be erected, under his direction, from time to time, as he ſhall judge neceſſary.

Additional ſum appropriated for fortifications.

Sec. 2. *And be it further enacted*, That where any ſtate, which was found indebted to the United States, by the report of the commiſſioners for ſettling the accounts between the United States, and the individual ſtates, ſhall, with the approbation of the Preſident of the United States, proceed to finiſh or compleat any fortification heretofore commenced by ſuch ſtate, for the defence of any port or harbour within the ſame, or ſhall, under the direction of the Preſident of the United States, make and erect any additional fortifications, purſuant to the act, intituled "An act to provide for the further defence of the ports and harbours within the United States," as well the previous expenditures made ſince the twentieth day of March, one

States erecting or completing fortifications to be credited on account of balances reported againſt them.

thouſand ſeven hundred and ninety-four, which ſhall be approved by the Preſident of the United States, as the expenditures which have been, or which ſhall be directed by him, ſhall be allowed and credited to ſuch ſtate, on account of the balance found and reported, as aforeſaid: *Provided*, That no expenditure exceeding the balance found and reported againſt the reſpective ſtate, ſhall be allowed as aforeſaid; and provided, that the fortifications for which the whole, or any part of the expenditure, ſhall be ſo allowed and credited as aforeſaid, with their privileges and appurtenances, ſhall be, and ſhall be declared and eſtabliſhed as the property of the United States, while maintained by them.

Proviſo.

Sec. 3. *And be it further enacted*, That theſe words of the ſaid act, intituled, "An act for the further defence of the ports and harbours of the United States," that is to ſay, "Provided, the ſaid ſtates ſhall, and do cede to the United States, the lands or places on which ſuch fortifications ſhall be ſo erected, in caſes where the lands are the property of ſuch ſtates," ſhall be, and the ſame are hereby repealed.

Part of former act repealed.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 3, 1798:

JOHN ADAMS.
Preſident of the United States.

CHAPTER LV.

An Act to enable the preſident of the United States to procure cannon, arms and ammunition; and for other purpoſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That a ſum not exceeding eight hundred thouſand dollars, ſhall

Appropriation to purchaſe cannon, ſmall arms, &c.

be, and hereby is appropriated, and ſhall and may be paid out of any monies not before appropriated, under the direction of the Preſident of the United States, to purchaſe, as ſoon as may be, a ſufficient number of cannon, alſo a ſupply of ſmall arms, and of ammunition and military ſtores, to be depoſited, and uſed, as will be moſt conducive to the public ſafety and defence, at the diſcretion of the Preſident of the United States.

Preſident may eſtabliſh founderies and armouries.

Sec. 2. *And be it further enacted*, That the Preſident of the United States be, and he is hereby authoriſed, in caſe he ſhall find it impracticable to procure by purchaſe, with certainty and diſpatch proportionate to the neceſſities of the public ſervice, the cannon and arms hereby required, and any conſiderable part thereof ſhall be likely to be deficient, to take, by leaſe, for a term of years, or by ſale in fee, to the United States, one or more ſuitable place or places where cannon or ſmall arms may be advantageouſly caſt and manufactured, and ſhall and may there eſtabliſh founderies and armouries for the manufacture of the ſame, reſpectively, and ſhall cauſe ſuitable artiſans and labourers to be there employed for account of the United States; and ſhall and may appoint one or more perſons to ſuperintend the ſaid works, under the direction of the department of war. And an account of the expenditures which ſhall be incurred in forming and employing theſe eſtabliſhments, and of the cannon and arms which ſhall be caſt and manufactured therein reſpectively, ſhall be laid before the Congreſs of the United States at their next ſeſſion, and annually thereafter, ſo long as the ſame ſhall be continued.

Accounts to be laid before Congreſs reſpecting the ſame.

Appropriation for

Sec. 3. *And be it further enacted*, That the ſum of one hundred thouſand dollars ſhall be

the foundaries and armouries.

and hereby is appropriated, and ſhall be paid out of any monies not before appropriated, for the hire, purchaſe and employ of the ſaid foundaries and armouries, reſpectively, in caſe ſuch eſtabliſhments ſhall be found neceſſary, as herein before provided.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*
APPROVED, May 4, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LVI.

An ACT *to authorize the Preſident of the United States to cauſe to be purchaſed, or built, a number of ſmall veſſels, to be equipped as gallies, or otherwiſe.*

Preſident may provide ten gallies.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States be, and he is hereby authorized, if the ſame ſhall appear to him neceſſary for the protection of the United States, to cauſe a number of ſmall veſſels, not exceeding ten, to be built, or purchaſed, and to be fitted out, manned, armed and equipped as gallies, or otherwiſe, in the ſervice of the United States, the officers and men to be on the ſame pay, and to receive the ſame ſubſiſtence, as officers of the ſame rank and men are entitled to, in the navy of the United States.

Officers may be appointed by the Preſident in the receſs—employment of the gallies.

Sec. 2. *And be it further enacted*, That the ſaid officers ſhall be appointed and commiſſioned by the Preſident of the United States alone during the receſs of the Senate; and the ſaid gallies or veſſels ſhall be ſtationed in ſuch parts of the United States, as he may direct.

Sec. 3. *And be it further enacted*, That there be appropriated for the purpoſe aforeſaid, the ſum of eighty thouſand dollars, out of any monies in the Treaſury not otherwiſe appropriated. Apropriation.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 4, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LVII.

An ACT *for the relief of Obadiah Brown.*

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Secretary for the Department of War, be, and he is hereby directed to place upon the liſt of invalid perſioners of the United States, at the rate and proportion of one fourth of a penſion, the name of Obadiah Brown, late a private ſoldier, who has been returned as an invalid by the Judge of the diſtrict of New-York, purſuant to an act of Congreſs, paſſed the twenty-eighth day of February, one thouſand ſeven hundred and ninety-three, intituled "An act to regulate claims to invalid penſions." Obadiah Brown to be placed upon the penſion-liſt.

Sec. 2. *And be it further enacted*, That the ſaid penſion ſhall be eſtimated at the ſame rate, receivable on the ſame condition, and payable in the ſame manner, in all reſpects, as directed in like caſes, by an act, paſſed at the preſent ſeſſion, intituled, "An act direct- Rate of penſion, &c.

ing the Secretary at War to place certain persons on the penſion liſt."

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 4, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LVIII.

An ACT *directing the payment of a detachment of militia, for ſervices performed in the year one thouſand ſeven hundred and ninety-four, under major James Ore.*

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the proper accruting officers be and they are hereby authorized to ſettle the accounts of the militia who ſerved on an expedition commanded by major James Ore, againſt the lower Cherokee Indians, in the year one thouſand ſeven hundred aud ninety-four; and that the ſame be paid out of any monies in the Treaſury, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 8, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LIX.

An ACT *to continue in force a part of an act reſpecting the compenſation to the officers and mariners of the revenue cutters.*

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the firſt ſection of

an act paſſed the ſixth day of May, one thouſand ſeven hundred and ninety-ſix, intituled "An act making further proviſion relative to the revenue cutters," be, and the ſame is hereby continued in force to the end of the next ſeſſion of Congreſs.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 8th, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LX.

An Act to revive and continue in force, the act reſpecting the compenſation of clerks; and for other purpoſes.

Act reſpecting compenſation of clerks continued.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the act paſſed on the thirteenth day of May, one thouſand ſeven hundred and ninety-ſix, intituled, "An act to regulate the compenſation of clerks," be and the ſame hereby is revived and continued in force, until the firſt day of January next.

Additional compenſation to clerks in the treaſury and war departments for the preſent year.

Sec. 2. *And be it further enacted*, That to the aggregate of compenſation for clerks in the preſent year, as fixed, purſuant to the aforeſaid act, there ſhall be added, during the preſent year, the following ſums, to wit: In the War Department, one thouſand ſix hundred dollars, for ſuch additional clerks, and in ſuch proportions, as the Secretary of that department ſhall think fit: In the Treaſury Department, three thouſand dollars, for enabling the Comptroller and Auditor to employ ſuch clerks as may be neceſſary in adjuſting and ſet-

tling the accounts which originated under the government of the United States, prior to the fourth day of March, one thouſand ſeven hundred and eighty-nine.

Additional compenſation to officers of the Senate and Houſe of Repreſentatives.

Sec. 3. *And be it further enacted*, That the ſum of one hundred dollars be allowed and paid, for the year one thouſand ſeven hundred and ninety-eight, to each of the principal and engroſſing clerks in the office of the Secretary of the Senate, and of the clerk of the Houſe of Repreſentatives; alſo, the like ſum to the Serjeant-at-arms of the Houſe of Repreſentatives, and to each of the door-keepers and aſſiſtant door-keepers of the two Houſes of Congreſs, in addition to the compenſation heretofore allowed them by law.

Additional allowance to a clerk in the mint.

How theſe ſums are to be paid.

Sec. 4. *And be it further enacted*, That the aforeſaid ſums, together with the ſum of two hundred dollars additional allowance for a clerk in the Mint, granted by the aforeſaid act, ſhall be paid out of the ſum of ſix hundred thouſand dollars, reſerved by the act "making proviſion for the debt of the United States."

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 14, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXI.

An Act for the relief of William Imlay.

William Imlay to be allowed for extraordinary clerk-hire in his office.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the accounting officers of the Treaſury, be, and they are hereby authorized and directed, to liquidate and ſettle the claim of William Imlay, Eſquire,

Commiſſioner of Loans for the ſtate of Connecticut, for extraordinary clerk hire in his office, from the firſt day of April, one thouſand ſeven hundred and ninety-five, to the thirty-firſt of March, one thouſand ſeven hundred and ninety-ſix, in making transfers of the ſtock ſtanding to the credit of the ſtate of Conecticut, to the creditors of ſaid ſtate, purſuant to the act of Congreſs of the ſecond day of January, one thouſand ſeven hundred and ninety-five; and that they allow him therefor, a ſum not exceeding one hundred and fifty-five dollars and ſeventy-ſix cents.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 14, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXII.

An Act for the relief of Joſeph Nourſe.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there be paid to Joſeph Nourſe, Regiſter of the Treaſury, out of any unappropriated money in the Treaſury of the United States, the ſum of two hundred and fifty dollars, to indemnify him for the extra expenſe incurred by him in removing his family from Philadelphia, in the years one thouſand ſeven hundred and ninety-three, and one thouſand ſeven hundred and ninety-ſeven, to avoid the epidemic fever; and the extra ex-

penſe incurred by him in attending to the buſineſs of his office during the ſame periods.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH : JEFFERSON, *Vice Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 22, 1798 :

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXIII.

An Act to amend the act, intituled "An act to amend and repeal, in part, the act, intituled 'An act to aſcertain and fix the Military Eſtabliſhment of the United States."

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the Brigadier General who is now, or may hereafter be in the ſervice of the United States, be and he hereby is authorized to chuſe his brigade-major and inſpector, or either of them, from the commiſſioned officers in the line of the army ; and that ſo much of the ſecond ſection of the act, intituled "An act to amend and repeal, in part, the act, intituled 'An act to aſcertain and fix the military eſtabliſhment of the United States," as confirms the choice of brigade-major and inſpector to the captains and ſubalterns of the line, be, and the ſame is hereby repealed.

The brigadier general may chuſe his brigade major and inſpector from the commiſſioned officers.

Sec. 2. *And be it further enacted,* That the accounting officers of the Treaſury ſhall allow to Major Cuſhing the monthly pay, rations, forage and allowances for the ſame, as eſtabliſhed by law, for an inſpector, during the time he

Allowance to major Cuſhing as inſpector.

has acted in said capacity by appointment of General Wilkinson.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, May 22, 1798:

JOHN ADAMS,

President of the United States.

CHAPTER LXIV.

An Act authorizing the President of the United States to raise a Provisional Army.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized, in the event of a declaration of war against the United States, or of actual invasion of their territory, by a foreign power, or of imminent danger of such invasion discovered in his opinion to exist, before the next session of Congress, to cause to be inlisted, and to call into actual service, a number of troops, not exceeding ten thousand non-commissioned officers, musicians and privates, to be enlisted for a term not exceeding three years; each of whom shall be entitled to receive a bounty of ten dollars, one half on inlisting, and the other half on joining the corps to which he may belong.

The President may, on certain events taking place, raise an army of 10,000 men, for 3 years.

Bounty.

Sec. 2. *And be it further enacted,* That the President be, and he is hereby authorized to organize, with a suitable number of Major-Generals, and conformably to the military establishment of the United States, the said troops into corps of artillery, cavalry and infantry, as the exigencies of the service may require; and in the recess of the Senate, alone to appoint the

The President may organize those troops, and appoint their officers in the recess.

commiſſioned officers. The appointment of the field-officers to be ſubmitted to the advice and conſent of the Senate, at their next ſubſequent meeting. The commiſſioned and non-commiſſioned officers, muſicians and privates, raiſed in purſuance of this act, ſhall be ſubject to the rules and articles of war, and regulations for the government of the army, and be entitled to the ſame pay, clothing, rations, forage and all other emoluments, bounty excepted, and in caſe of wounds or diſability received in ſervice, to the ſame compenſation, as the troops of the United States are by law entitled.

Thoſe troops to be on the footing of the other troops of the United States.

Sec. 3. *And be it further enacted*, That in addition to the aforeſaid number of troops, the Preſident is hereby empowered, at any time within three years after the paſſing of this act, if in his opinion the public intereſt ſhall require, to accept of any company or companies of volunteers, either of artillery, cavalry, or infantry, who may aſſociate and offer themſelves for the ſervice, who ſhall be armed, cloathed and equipped at their own expenſe, and whoſe commiſſioned officers the Preſident is hereby authorized to appoint; who ſhall be liable to be called upon to do military duty at any time the Preſident ſhall judge proper, within two years after he ſhall accept the ſame; and when called into actual ſervice, and while remaining in the ſame, ſhall be under the ſame rules and regulations, and ſhall be entitled to the ſame pay, rations, forage, and emoluments of every kind, excepting bounty and clothing, as the other troops to be raiſed by this act.

The Preſident may accept of volunteers, in addition to thoſe troops.

Sec. 4. *And be it further enacted*, That in caſe any ſuch volunteer, while in actual ſervice and in the line of his duty, ſuſtains any damage, by injury done to his horſe, arms or equipage, or by loſs of the ſame, without any fault or

Allowance for injuries or loſs of horſes, arms, or equipage

negligence on his part, a reaſonable ſum, to be aſcertained in ſuch manner as the Preſident ſhall direct, ſhall be allowed for each and every ſuch damage or loſs. to be made to volunteers.

Sec. 5. *And be it further enacted*, That whenever the Preſident ſhall deem it expedient, he is hereby empowered to appoint, by and with the advice and conſent of the Senate, a commander of the army which may be raiſed by virtue of this act, and who being commiſſioned as Lieutenant-General, may be authorized to command the armies of the United States, and ſhall be entitled to the following pay and emoluments, viz. two hundred and fifty dollars monthly pay, fifty dollars monthly allowance for forage, when the ſame ſhall not be provided by the United States, and forty rations per day, or money in lieu thereof at the current price, who ſhall have authority to appoint, from time to time, ſuch number of aids not exceeding four, and ſecretaries not exceeding two, as he may judge proper, each to have the rank, pay and emoluments of a Lieutenant-Colonel. Preſident may appoint a lieutenant general. His pay and emoluments. Aids and ſecretaries.

Sec. 6. *And be it further enacted*, That whenever the Preſident ſhall deem it expedient, he is hereby empowered, by and with the advice and conſent of the Senate, to appoint an Inſpector-General, with the rank of Major-General, and the Major-Generals and Inſpector-General ſhall each be entitled to the following pay and emoluments, viz. one hundred and ſixty-ſix dollars monthly pay, twenty dollars monthly allowance for forage, when the ſame is not provided by the United States, and fifteen rations per day, or money in lieu thereof, at the current price; and ſhall be and they are hereby authorized to appoint two aids, each of whom ſhall have the rank, pay and emoluments of a Major. And at the time aforeſaid, the Preſident may appoint an inſpector-general. Pay and emoluments of major generals and inſpector-general. They may appoint aids.

Preſident may appoint an adjutant general.

Preſident is further empowered, by and with the advice and conſent of the Senate, to appoint an Adjutant-General, who ſhall have the rank, pay and emoluments of a Brigadier-General. And the Preſident is hereby authorized alone to appoint, from time to time, when he ſhall judge proper, Aſſiſtant-Inſpectors to every ſeparate portion of the army, conſiſting of one or more diviſions, who ſhall be deputy Adjutant-Generals thereof reſpectively, and who ſhall be taken from the line of the army, and allowed, in addition to their pay, eight dollars per month; and likewiſe to appoint Inſpectors and Sub-inſpectors to each brigade and corps of every deſcription, at his decretion, taking them from the line of the army, and they ſhall each receive, while acting in ſaid capacity, an additional pay of ſix dollars per month.

Aſſiſtant inſpectors to every ſeparate portion of the army;

and inſpectors and ſub-inſpectors to each brigade and corps.

Sec. 7. *And be it further enacted*, That in caſe the Preſident ſhall judge the employment of a Quartermaſter-General, Phyſician-General, and Paymaſter-General, or either of them, eſſential to the public intereſt, he is hereby authorized, by and with the advice and conſent of the Senate, to appoint the ſame accordingly, who ſhall be entitled to the rank, pay and emoluments which follow, viz. Quartermaſter-General, the rank, pay and emoluments of a Lieutenant-Colonel; Phyſician-General and Paymaſter-General each the pay and emoluments of a Lieutenant-Colonel. *Provided*, That in caſe the Preſident ſhall judge it expedient to appoint a commander of the army, an Inſpector-General, Adjutant-General, Quartermaſter-General, Phyſician-General, and Paymaſter-General, or either of them in the receſs of the Senate, he is hereby authorized to make any or all of ſaid appointments and grant commiſſions thereon, which ſhall expire at the end of the next ſeſſion of the Senate thereafter.

Alſo, a quarter maſter general, phyſician general and paymaſter general.

Proviſo, enabling the Preſident to make appointment of certain officers in the receſs, whoſe commiſſions ſhall expire at the end of the ſeſſion of the Senate thereafter.

Sec. 8. *And be it further enacted*, That the laws of the United States, reſpecting the regulations and emoluments of recruiting officers; puniſhment of perſons who ſhall procure or entice a ſoldier to deſert, or ſhall purchaſe his arms, uniform clothing, or any part thereof; and the puniſhment of every commanding officer of any ſhip or veſſel who ſhall receive on board his ſhip or veſſel as one of his crew, knowing him to have deſerted, or otherwiſe carry away any ſoldier, or refuſe to deliver him up to the orders of his commanding officer; and the law reſpecting the oath or affirmation to be taken by officers, non-commiſſioned officers, muſicians and privates; and reſpecting the inſerting of conditions in the inliſtments; and all other laws reſpecting the military eſtabliſhment of the United States, excepting in ſuch caſes where different and ſpecific regulations are made by this act, ſhall be in force and apply to all perſons, matters and things within the intent and meaning of this act, in the ſame manner, as they would, were they inſerted at large in the ſame.

Former laws reſpecting the military eſtabliſhment of the U. S. extended to the perſons, matters and things within the meaning of this act.

Sec. 9. *And be it further enacted*, That the commander of the army, inſpector-general, adjutant-general, quartermaſter-general, phyſician-general, and paymaſter-general, and the general, field and commiſſioned officers who may be appointed by virtue of this act, ſhall reſpectively continue in commiſſion during ſuch term only as the Preſident ſhall judge requiſite for the public ſervice, and that it ſhall be lawful for the Preſident to diſcharge the whole or any part of the troops, which may be raiſed or accepted under authority of this act, whenever he ſhall judge the meaſure conſiſtent with the public ſafety.

The Preſident may, at his diſcretion, diſcharge the whole or any part of the officers and ſoldiers raiſed or accepted under this act.

Sec. 10. *And be it further enacted*, That no commiſſioned or ſtaff-officer, who ſhall be ap-

No commiſſioned or ſtaff-of-

ficer to be entitled to pay or emolument but for actual ſervice.

pointed by virtue of this act, ſhall be entitled to receive pay or emoluments until he ſhall be called into actual ſervice, nor for any longer time than he ſhall continue therein. *Provided*, nothing in this ſection ſhall be conſtrued to prevent captains and ſubalterns from receiving pay and emolumens while employed in the recruiting ſervice. *And provided alſo*, That no inliſtment ſhall take place by virtue of this act after three years from the paſſing thereof.

The Preſident may loan field artillery to militia corps, diſpoſed to inform themſelves in its uſe.

Sec. 11. *And be it further enacted*, That it ſhall be lawful for the Preſident of the United States, at his diſcretion, upon the requeſt of any militia corps eſtabliſhed by law, in any ſtate, diſpoſed to inform themſelves in the uſe of artillery, or of the executive of any ſtate, in behalf of ſuch corps, to ſuffer to be loaned to them, ſuch pieces, not exceeding two to any one corps, of the field artillery of the United States, as may be moſt conveniently ſpared, to be taken, removed and returned, at the expenſe of the party requeſting: who are to be accountable for the ſame, and to give receipts accordingly.

And alſo to loan field artillery, arms, and accoutrements to militia or volunteer corps called forth and engaged in actual ſervice

Sec. 12. *And be it further enacted*, That the Preſident of the United States ſhall be, and he is hereby authorized, when, under his orders, any portion of the militia, or any volunteer corps, ſhall be called forth and engaged in the actual ſervice of the United States, to ſuffer to be loaned, at the requeſt of the executive of the ſtate from which ſuch militia ſhall be called forth, or of ſuch volunteer corps, appearing to be unavoidably deficient, a ſupply of field artillery, arms and accoutrements from the arſenals of the United States, as the caſe may require; proper receipts and ſecurity being given to be accountable to return the ſame, the accidents of the ſervice excepted.

Sec. 13. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorized to cause to be purchased and procured a quantity of caps, swords or sabres, and pistols with holsters, not exceeding what may be sufficient for four thousand cavalry, and to be deposited in the parts of the United States, where he shall deem it most convenient for the supply of any corps of cavalry which shall be called into the actual service of the United States, and which the President of the United States may loan upon the terms and the like receipts, to be accountable as herein before provided. And for this purpose, and towards defraying the expenses which may be necessarily incurred before the next session of Congress, in executing the other purposes of this act, a sum not exceeding two hundred thousand dollars, shall be, and is hereby appropriated, and shall and may be paid at the Treasury, under the orders of the President of the United States, out of any money not already appropriated.

President may procure certain equipage for cavalry, which may be loaned as aforesaid.

Appropriation of 200,000 dollars.

Sec. 14. *And be it further enacted*, That the private soldiers who are and who shall be inlisted and employed in the service of the United States, shall be, and they are hereby exempted, during their term of service, from all personal arrests, for any debt or contract. And whenever any soldier shall be arrested, whether by mesne process, or in execution, contrary to the intent hereof, it shall be the duty of the judge of the district court of the district in which the arrest shall happen, and of any justice of the supreme court of the United States, and of any court or judge of a state, who, by the laws of such state, are authorized to issue writs of habeas corpus, respectively, on application by any officer of the corps in which such soldier shall be engaged, to grant a writ of habeas cor-

Privates exempt from arrests for debt or contract.

pus returnable before himſelf; and upon due hearing and examination, in a ſummary manner, to diſcharge the ſoldier from ſuch arreſt, taking common bail, if required, in any caſe upon meſne proceſs, and commit him to the applicant, or ſome other officer of the ſame corps.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 28, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXV.

An Act more effectually to protect the commerce and Coaſts of the United States.

Preamble

WHEREAS armed veſſels ſailing under authority or pretence of authority from the Republic of France, have committed depredations on the commerce of the United States, and have recently captured the veſſels and property of citizens thereof, on and near the coaſts, in violation of the law of nations, and treaties between the United States and the French nation: Therefore,

Preſident may iſſue inſtructions to the commanders of public armed ſhips to bring into port certain French armed veſſels, and to

Be it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled, That it ſhall be lawful for the Preſident of the United States, and he is hereby authoriſed, to inſtruct and direct the commanders of the armed veſſels belonging to the United States, to ſeize, take and bring into any port of the United States, to be proceeded againſt according to the laws of nations, any ſuch armed veſſel which ſhall have committed or which ſhall be found hovering on the coaſts of the United States, for the purpoſe of committing depredations on the veſſels belonging to

citizens thereof: and alſo to retake any ſhip or veſſel, of any citizen or citizens of the United States, which may have been captured by any ſuch armed veſſel. make recaptures from them.

G. DENT, *Speaker of the House of Repreſentatives. (Pro Tempore.)*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, May 28, 1798.
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXVI.

An ACT *providing for the relief of perſons impriſoned for debts due to the United States.*

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That any perſon impriſoned upon execution iſſuing from any court of the United States, for a debt due to the United States, which he ſhall be unable to pay, may, at any time after commitment, make application, in writing, to the Secretary of the Treaſury, ſtating the circumſtances of his caſe, and his inability to diſcharge the debt; and it ſhall thereupon be lawful for the ſaid Secretary to make, or require to be made, an examination and enquiry into the circumſtances of the debtor, either by the oath or affirmation of the debtor, (which the ſaid Secretary, or any other perſon by him ſpecially appointed, are hereby authorized to adminiſter) or otherwiſe, as the ſaid Secretary ſhall deem neceſſary and expedient, to aſcertain the truth; and upon proof being made to his ſatisfaction, that ſuch debtor is unable to pay the debt for which he is impriſoned, and that he hath not concealed, or made any conveyance of his eſtate, in truſt, for himſelf, or with an intent to defraud the United States,

Inſolvent to make application to the Secretary of the Treaſury,

who may cauſe an examination to be made of the facts of the caſe;

and upon proof of certain facts, he may receive an aſſignment of the debtor's property;

or deprive them of their legal priority, the ſaid Secretary is hereby authorized to receive from ſuch debtor, any deed, aſſignment, or conveyance of the real or perſonal eſtate of ſuch debtor, if any he hath, or any collateral ſecurity, to the uſe of the United States; and upon a compliance by the debtor, with ſuch terms and conditions as the ſaid Secretary may judge reaſonable and proper, under all the circumſtances of the caſe, it ſhall be lawful for the ſaid Secretary to iſſue his order, under his hand, to the keeper of the priſon, directing him to diſcharge ſuch debtor from his impriſonment under ſuch execution, and he ſhall be accordingly diſcharged, and ſhall not be liable to be impriſoned again for the ſaid debt; but the judgment ſhall remain good and ſufficient in law, and may be ſatisfied out of any eſtate which may then, or at any time afterwards, belong to the debtor.

and on the debtor's complying with the terms prescribed by the Secretary, he may order him to be diſcharged.

Sec. 2. *And be it further enacted*, That if any perſon ſhall falſely take an oath or affirmation under this act, he ſhall be deemed guilty of perjury, and be ſubject to the pains and penalties provided in the third ſection of an act, intituled "An act for the relief of perſons impriſoned for debt."

Penalty on ſwearing falſely under this act.

Sec. 3. *And be it further enacted*, That the benefit of this act ſhall not be extended to any perſon impriſoned for any fine, forfeiture or penalty, incurred by a breach of any law of the United States, or for monies had and received by any officer, agent, or other perſon, for their uſe.

This act not to extend to the caſe of a penalty or of monies had and received.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 6, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXVII.

An ACT *ſupplementary to an act, intituled "an act for the relief of perſons impriſoned for debt."*

BE *it enacted by the Senate and houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That any perſon impriſoned upon proceſs iſſuing from any court of the United States in any civil action, againſt whom judgment has been, or ſhall be recovered, ſhall be entitled to the privileges and relief provided by an act, intituled "An act for the relief of perſons impriſoned for debt," under the regulations and reſtrictions of the ſame act, after the expiration of thirty days from the time ſuch judgment has been, or ſhall be recovered, though the creditor ſhould not, within that time, ſue out his execution, and charge the debtor therewith.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 6, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXVIII.

An ACT *reſpecting loan-office and final ſettlement certificates, indents of intereſt, and the unfunded or regiſtered debt credited in the books of the Treaſury.*

Law barring loan office and final ſettlement certificates and indents of intereſt ſuſpended for a year

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That ſo much of the act, intituled, "An act making further proviſion for the ſupport of public credit, and for the redemption of the public debt," paſſed the third day of March, one thouſand ſeven hundred and ninety-five, as bars from ſettle-

ment or allowance, certificates, commonly called loan-office and final ſettlement certificates, and indents of intereſt, be, and the ſame is hereby ſuſpended for the term of one year from and after the time of the paſſing of this act; a notification of which temporary ſuſpenſion of the act of limitation ſhall be publiſhed by the Secretary of the Treaſury, for the information of the holders of the ſaid certificates, in one or more of the public papers in each of the United States.

Notification thereof be publiſhed by the Secretary of the Treaſury.

Sec. 2. *And be it further enacted*, That on the liquidation and ſettlement of ſuch of the ſaid certificates, and indents of intereſt, as may be preſented at the Treaſury, purſuant to this act, the creditors ſhall be allowed to receive certificates of funded three per cent ſtock of the United States, equal to the ſaid indents, and the arrearages of intereſt due on their ſaid certificates, prior to the firſt day of January, one thouſand ſeven hundred and ninety-one.

On ſettlement thereof, the creditors may receive certain ſtock.

Sec. 3. *And be it further enacted*, That the principal ſums of the ſaid loan-office and final ſettlement certificates, with the intereſt thereon, ſince the firſt day of January, one thouſand ſeven hundred and ninety-one, ſhall and may be diſcharged, after liquidation at the Treaſury, by the payment of intereſt and reimburſement of principal, equal to the ſums which would have been payable thereon, if the ſaid certificates had been ſubſcribed, purſuant to the acts making proviſion for the debts of the United States, contracted during the late war, and by the payment of other ſums, equal to the market value of the remaining funded ſtock, which would have been created by ſubſcriptions, as aforeſaid; which market value ſhall be determined by the Comptroller of the Treaſury.

How the principal of the loan-office and final ſettlement certificates and certain intereſt thereon ſhall be diſcharged.

Sec. 4. *And be it further enacted*, That the ſum of twenty thouſand dollars ſhall be, and hereby is appropriated for the purpoſes aforeſaid, to be paid out of any monies in the Treaſury not otherwiſe appropriated. Appropriation therefor.

Sec. 5. *And be it further enacted*, That from and after the paſſing of this act, it ſhall not be lawful for the officers of the Treaſury to iſſue or cauſe to be iſſued, any certificates of regiſtered or unfunded debt; and that to ſatisfy ſuch claims for ſervices, or ſupplies furniſhed or done prior to the eſtabliſhment of the preſent conſtitution of the United States, as ſhall be allowed according to law, and the courſe of ſettlement at the Treaſury, there be appropriated a ſum not exceeding twenty thouſand dollars, to be paid out of any monies in the Treaſury not otherwiſe appropriated. Treaſury not to iſſue certificates of regiſtered or unfunded debt. Appropriation for ſervices & ſupplies prior to the preſent conſtitution.

Sec. 6. *And be it further enacted*, That the commiſſioners of the ſinking fund ſhall be, and they are hereby required to reimburſe, or cauſe to be reimburſed, the principal ſums of the unfunded, or regiſtered debt of the United States, credited on the books of the Treaſury, and commiſſioners of loans; and that they cauſe a notification to be publiſhed, informing the creditors generally, of the ſaid reimburſement, and that intereſt on the ſaid debts will ceaſe at the expiration of ſix months after the date of the ſaid notification; and that a ſum not exceeding ninety thouſand dollars be appropriated for the reimburſement of the debts aforeſaid, out of any monies in the Treaſury not otherwiſe appropriated. Reimburſement to be made of the unfunded or regiſtered debt. Notification thereof to be publiſhed. Appropriation therefor.

Sec. 7. *And be it further enacted*, That it ſhall be lawful for the creditors of the unfunded or regiſtered debt aforeſaid, to receive certificates of funded three per cent ſtock, equal to the arrearages of intereſt due to them, reſ- Creditors of unfunded or regiſtered debt may receive

certificates of stock for certain arrearages of interest.

pectively, prior to the first day of January, one thousand seven hundred and ninety-one: and on the requisition of each or any of the said creditors, the proper officers of the Treasury are hereby required to issue, or cause to be issued, the said certificates of funded three per cent stock accordingly.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, June 12, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER LXIX.

An Act making appropriations for the military establishment, for the year one thousand seven hundred and ninety-eight; and for other purposes.

Specific appropriations.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the support of the military establishment, for the year one thousand seven hnndred and ninety-eight, the pay and subsistence of the officers and men; bounties and premiums; the cloathing, hospital, ordnance, quarter-masters and Indian departments; the defensive protection of the frontiers; the contingent expenses of the war department, and the payment of military pensions; the sum of one million four hundred and eleven thousand seven hundred and ninety-eight dollars (including the sum of two hundred thousand dollars already appropriated on account) be, and hereby is appropriated; that is to say:

For the pay of the army of the United States, the sum of two hundred and sixty-four thousand eight hundred and twenty-four dollars.

For the ſubſiſtence of the officers of the army, the ſum of forty thouſand ſix hundred and ſixty-one dollars. Specific appropriations.

For the ſubſiſtence of the non-commiſſioned officers and privates, the ſum of two hundred and forty-ſeven thouſand, one hundred and ſeventy-eight dollars.

For forage, the ſum of fifteen thouſand eight hundred and ſixteen dollars.

For equipments, for one company of cavalry, two thouſand, one hundred and forty dollars.

For horſes for the cavalry, to replace thoſe which may die, or become unfit for ſervice, the ſum of four thouſand five hundred dollars.

For cloathing, the ſum of eighty-three thouſand and fifty dollars.

For bounties and premium, the ſum of thirty-eight thouſand dollars.

For the hoſpital department, the ſum of ten thouſand dollars.

For the ordnance department, the ſum of forty-three thouſand dollars.

For the quarter-maſter's department, the ſum of two hundred and twenty-four thouſand dollars.

For the Indian department, the following ſums, that is to ſay:

For the payment of annuities to the Six Nations, Chickaſaws, Cherokees and Creeks, the ſum of fourteen thouſand dollars.

For the expenſes attending the tranſportation of goods, for the above mentioned annuities, the ſum of nine thouſand dollars.

For promoting civilization, and pay of temporary agents, the ſum of fifteen thouſand dollars.

For rations to Indians at the different military poſts, and within their reſpective nations, the ſum of twenty thouſand dollars.

Specific appropriations.

For building a griſt and ſaw mill for the uſe of the Stockbridge Indians, agreeably to a treaty in one thouſand ſeven hundred and ninety-four, three thouſand dollars.

For contingent expenſes for preſents to Indians on their viſits to the ſeat of government, and expenſes attending their journies, and during their ſtay in Philadelphia, the ſum of ten thouſand dollars.

For the defenſive protection of the frontiers of the United States, including the erection and repair of forts and fortifications, the ſum of ſixty thouſand dollars.

For loſs of ſtores, allowances to officers on being ordered to diſtant commands, and for ſpecial purpoſes; advertiſing and apprehending deſerters, printing, for purchaſing of maps, and other contingent expenſes, the ſum of twenty thouſand dollars.

For the annual allowance to the invalids of the United States, for their penſions, from the fifth of March, one thouſand ſeven hundred and ninety-eight, to the fourth day of March, one thouſand ſeven hundred and ninety-nine, the ſum of one hundred and two thouſand, and ſixty-ſeven dollars, and ſeven cents.

For the conſtruction and repair of certain veſſels on the lakes, in the ſervice of government, and the pay and ſubſiſtence of the officers and crews of the ſame, ſixteen thouſand ſeven hundred dollars.

For making good a deficiency in the appropriations for the ſubſiſtence of the non-commiſſioned officers and privates of the army of the United States, for the year one thouſand ſeven hundred and ninety-ſeven, the ſum of one hundred and fourteen thouſand, one hundred and ſixty-ſeven dollars, and ninety-five cents.

For making good a deficiency in the appropriation for the expenſe of the quarter-maſter's and Indian departments; the defenſive protection of the frontiers; bounties, and all other contingent expenſes of the war department, for the year one thouſand ſeven hundred and ninety-ſeven, the ſum of fifty-four thouſand ſix hundred and ninety-four dollars.

Sec. 2. *And be it further enacted*, That the appropriations herein-before made, ſhall be paid and diſcharged out of the ſurplus of the revenue and income beyond the appropriations heretofore charged thereon, to the end of the preſent year. How theſe appropriations are to be paid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 12, 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXX.

An Act to ſuſpend the commercial intercourſe between the United States and France, and the dependencies thereof.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That no ſhip or veſſel, owned, hired, or employed, wholly or in part, by any perſon reſident within the United States, and which ſhall depart therefrom after the firſt day of July next, ſhall be allowed to proceed directly, or from any intermediate port or place, to any port or place within the territory of the French Republic, or the dependencies thereof, or to any place After 1ſt July, 1798, veſſels not to go to the dominions of France, or be employed in traffic with, or for perſons reſident therein.

in the Weſt-Indies, or elſewhere under the acknowledged government of France, or ſhall be employed in any traffic or commerce with, or for any perſon reſident within the juriſdiction, or under the authority of the French Republic. And if any ſhip or veſſel, in any voyage thereafter commencing, and before her return within the United States, ſhall be voluntarily carried, or ſuffered to proceed to any French port or place as aforeſaid, or ſhall be employed as aforeſaid, contrary to the intent hereof, every ſuch ſhip or veſſel, together with her cargo, ſhall be forfeited, and ſhall accrue, the one-half to the uſe of the United States, and the other half to the uſe of any perſon or perſons, citizens of the United States, who will inform and proſecute for the ſame; and ſhall be liable to be ſeized, proſecuted and condemned in any circuit or diſtrict-court of the United States which ſhall be holden within or for the diſtrict where the ſeizure ſhall be made.

Penalty thereon.

Sec. 2. *And be it further enacted*, That after the firſt day of July next, no clearance for a foreign voyage ſhall be granted to any ſhip or veſſel, owned, hired, or employed, wholly or in part, by any perſon reſident within the United States, until a bond ſhall be given to the uſe of the United States, wherein the owner or employer, if uſually reſident or preſent, where the clearance ſhall be required, and otherwiſe his agent or factor, and the maſter, or captain of ſuch ſhip or veſſel for the intended voyage, ſhall be parties, in a ſum equal to the value of the ſhip or veſſel, and her cargo, and ſhall find ſufficient ſurety or ſureties, to the amount of one-half the value thereof, with condition that the ſame ſhall not, during her intended voyage, or before her return

Bond to be given on clearing for a foreign voyage after 1ſt July, 1798.

within the United States, proceed or be carried, directly or indirectly, to any port or place within the territory of the French Republic, or the dependencies thereof, or any place in the Weſt-Indies, or elſewhere, under the acknowledged government of France, unleſs by diſtreſs of weather, or want of proviſions, or by actual force and violence, to be fully proved and manifeſted before the acquittance of ſuch bond; and that ſuch veſſel is not, and ſhall not be employed during her intended voyage, or before her return, as aforeſaid, in any traffic or commerce with or for any perſon reſident within the territory of that republic, or in any of the dependencies thereof.

French veſſels and certain other veſſels not to be allowed to enter or remain in the U. S. unleſs they have the Preſident's paſſport, or in caſe of diſtreſs.

Sec. 3. *And be it further enacted*, That from and after due notice of the paſſing of this act, no French ſhip or veſſel, armed or unarmed, commiſſioned by or for, or under the authority of the French Republic, or owned, fitted, hired or employed by any perſon reſident within the territory of that republic, or any of the dependencies thereof, or ſailing or coming therefrom, excepting any veſſel to which the Preſident of the United States ſhall grant a paſſport, which he is hereby authoriſed to grant in all caſes where it ſhall be requiſite for the purpoſes of any political or national intercourſe, ſhall be allowed an entry, or to remain within the territory of the United States, unleſs driven there by diſtreſs of weather, or in want of proviſions. And if contrary to the intent hereof any ſuch ſhip or veſſel ſhall be found within the juriſdictional limits of the United States, not being liable to ſeizure for any other cauſe, the company having charge thereof, ſhall be required to depart and carry away the ſame, avoiding all unneceſſary delay; and if they

In caſe of their being found within the U. S. they ſhall be ordered to depart; and on non-compliance, they

shall be seized and detained.

shall, notwithstanding, remain, it shall be the duty of the collector of the district, wherein, or nearest to which, such ship or vessel shall be, to seize and detain the same, at the expense of the United States: Provided, That ships or vessels which shall be *bona fide* the property of, or hired or employed by citizens of the United States, shall be excepted from this prohibition until the first day of December next, and no longer; And provided that in the case of vessels hereby prohibited, which shall be driven by distress of weather, or want of provisions into any port or place of the United States, they may be suffered to remain under the custody of the collector there, or nearest thereto, until suitable repairs or supplies can be obtained, and as soon as may be thereafter shall be required and suffered to depart; but no part of the lading of such vessel shall be taken out or disposed of, unless by the special permit of such collector, or to defray the unavoidable expense of such repairs or supplies.

Vessels belonging to citizens of the U. S. excepted from the prohibition until the 1st Dec. 1798.

Proceedings to be had in case of vessels entering through distress.

Sec. 4. *And be it further enacted*, That this act shall continue and be in force until the end of the next session of Congress, and no longer.

Limitation of the act.

Sec. 5. *Provided, and be it further enacted*, That if, before the next session of Congress, the government of France, and all persons acting by or under their authority, shall clearly disavow, and shall be found to refrain from the aggressions, depredations and hostilities which have been, and are by them encouraged and maintained against the vessels and other property of the citizens of the United States, and against their national rights and sovereignty, in violation of the faith of treaties, and the laws of nations, and shall thereby acknowledge the just claims of the United States

In the recess, the President may dissolve the prohibitions of this act, on being well ascertained of a disavowal and cessation of hostilities, &c. on the part of France.

to be conſidered as in all reſpects neutral, and unconnected in the preſent European war, if the ſame ſhall be continued, then and thereupon it ſhall be lawful for the Preſident of the United States, being well aſcertained of the premiſes, to remit and diſcontinue the prohibitions and reſtraints hereby enacted and declared; and he ſhall be, and is hereby authorized to make proclamation thereof accordingly: Provided, that nothing in this act contained, ſhall extend to any ſhip or veſſel to which the Preſident of the United States ſhall grant a permiſſion to enter or clear: which permiſſion he is hereby authorized to grant to veſſels which ſhall be ſolely employed in any purpoſe of political or national intercourſe, or to aid the departure of any French perſons, with their goods and effects, who ſhall have been reſident within the United States, when he may think it requiſite.

Act not to extend to veſſels to which the Preſident may grant ſpecial permiſſions.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 13, 1798.

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXI.

An Act ſupplementary to and to amend the act, intituled, "An act to eſtabliſh an uniform rule of naturalization; and to repeal the act heretofore paſſed on that ſubject."

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That no alien ſhall be admitted to become a citizen of the United States, or of any ſtate, unleſs in the

No alien may become a citizen, unleſs he ſhall have

declared his intention to become ſuch, five years before his admiſſion.

manner preſcribed by the act, intituled, "An act to eſtabliſh an uniform rule of naturalization; and to repeal the act heretofore paſſed on that ſubject," he ſhall have declared his intention to become a citizen of the United States, five years, at leaſt, before his admiſſion,

He ſhall declare & prove 14 years reſidence within the U. S. and five years in the ſtate, &c. where he applies; beſides otherwiſe conforming to the former act.

and ſhall, at the time of his application to be admitted, declare and prove, to the ſatisfaction of the court having juriſdiction in the caſe, that he has reſided within the United States fourteen years, at leaſt, and within the ſtate or territory where, or for which ſuch court is at the time held, five years, at leaſt, beſides conforming to the other declarations, renunciations and proofs, by the ſaid act required, any thing therein to the contrary hereof notwithſtanding: *Provided*, That any alien, who was reſiding within the limits, and under the juriſdiction of the United States, before the twenty-ninth day of January, one thouſand ſeven hundred and ninety-five, may, within one year after the paſſing of this act, and any alien who ſhall have made the declaration of his intention to become a citizen of the United States,

Proviſion in favor of reſidents before 29th Jan. 1798, and of perſons having made the declaration of their intention to become citizens.

in conformity to the proviſions of the act, intituled, "An act to eſtabliſh an uniform rule of naturalization, and to repeal the act heretofore paſſed on that ſubject," may, within four years after having made the declaration aforeſaid, be admitted to become a citizen, in the manner preſcribed by the ſaid act, upon his making proof that he has reſided five years, at leaſt, within the limits, and under the juriſdiction of the United States: *And provided alſo*, That no

Alien enemies cannot become citizens.

alien, who ſhall be a native, citizen, denizen or ſubject of any nation or ſtate with whom the United States ſhall be at war, at the time of his application, ſhall be then admitted to become a citizen of the United States.

Sec. 2. *And be it further enacted*, That it ſhall be the duty of the clerk, or other recording officer of the court before whom a declaration has been, or ſhall be made, by any alien, of his intention to become a citizen of the United States, to certify and tranſmit to the office of the Secretary of State of the United States, to be there filed and recorded, an abſtract of ſuch declaration, in which, when hereafter made, ſhall be a ſuitable deſcription of the name, age, nation, reſidence and occupation, for the time being, of the alien; ſuch certificate to be made in all caſes, where the declaration has been or ſhall be made, before the paſſing of this act, within three months thereafter; and in all other caſes, within two months after the declaration ſhall be received by the court: And in all caſes hereafter ariſing, there ſhall be paid to the clerk, or recording officer as aforeſaid, to defray the expenſe of ſuch abſtract and certificate, a fee of two dollars; and the clerk or officer to whom ſuch fee ſhall be paid or tendered, who ſhall refuſe or neglect to make and certify an abſtract, as aforeſaid, ſhall forfeit and pay the ſum of ten dollars.

Clerks of courts to ſend to the Secretary of State abſtracts of the declarations of aliens intending to become citizens.

Fees of the clerks therefor.

Penalty on refuſing to make or certify ſuch abſtracts.

Sec. 3. *And be it further enacted*, That in all caſes of naturalization heretofore permitted or which ſhall be permitted, under the laws of the United States, a certificate ſhall be made to, and filed in the office of the Secretary of State, containing a copy of the record reſpecting the alien, and the decree or order of admiſſion by the court before whom the proceedings thereto have been, or ſhall be had: And it ſhall be the duty of the clerk or other recording officer of ſuch court, to make and tranſmit ſuch certificate, in all caſes which have already occurred, within three months after the paſſing of this act; and in all future caſes,

Clerks of courts to ſend to the Secretary of State certified copies of the records of naturalization.

within two months from and after the naturalization of an alien ſhall be granted by any court competent thereto: And in all future caſes, there ſhall be paid to ſuch clerk or recording officer the ſum of two dollars, as a fee for ſuch certificate, before the naturalization prayed for, ſhall be allowed: And the clerk or recording officer, whoſe duty it ſhall be, to make and tranſmit the certificate aforeſaid, who ſhall be convicted of a wilful neglect therein, ſhall forfeit and pay the ſum of ten dollars, for each and every offence.

Their fees therefor.

Penalty on wilfully neglecting to tranſmit ſuch certificates.

Sec. 4. *And be it further enacted*, That all white perſons, aliens, (accredited foreign miniſters, conſuls, or agents, their families and domeſtics, excepted) who, after the paſſing of this act, ſhall continue to reſide, or who ſhall arrive, or come to reſide in any port or place within the territory of the United States, ſhall be reported, if free, and of the age of twenty-one years, by themſelves, or being under the age of twenty-one years, or holden in ſervice, by their parent, guardian, maſter or miſtreſs in whoſe care they ſhall be, to the clerk of the diſtrict-court of the diſtrict, if living within ten miles of the port or place, in which their reſidence or arrival ſhall be, and otherwiſe, to the collector of ſuch port or place, or ſome officer or other perſon there, or neareſt thereto, who ſhall be authorized by the Preſident of the United States, to regiſter aliens: And report, as aforeſaid, ſhall be made in all caſes of reſidence, within ſix months from and after the paſſing of this act, and in all after caſes, within forty-eight hours after the firſt arrival or coming into the territory of the United States, and ſhall aſcertain the ſex, place of birth, age, nation, place of allegiance or citizenſhip, condition or occupation, and place

All white aliens reſiding or arriving in the U. S. to be reported and regiſtered.

Manner of making the report.

of actual or intended reſidence within the United States, of the alien or aliens reported, and by whom the report is made. And it ſhall be the duty of the clerk, or other officer, or perſon, authoriſed, who ſhall receive ſuch report, to record the ſame in a book to be kept for that purpoſe, and to grant to the perſon making the report, and to each individual concerned therein, whenever required, a certificate of ſuch report and regiſtry; and whenever ſuch report and regiſtry ſhall be made to, and by any officer or perſon authoriſed, as aforeſaid, other than the clerk of the diſtrict-court, it ſhall be the duty of ſuch officer, or other perſon, to certify and tranſmit, within three months thereafter, a tranſcript of ſuch regiſtry, to the ſaid clerk of the diſtrict-court of the diſtrict in which the ſame ſhall happen; who ſhall file the ſame in his office, and ſhall enter and tranſcribe the ſame in a book to be kept by him, for that purpoſe. And the clerk, officer or other perſon authoriſed to regiſter aliens, ſhall be entitled to receive, for each report and regiſtry of one individual or family of individuals, the ſum of fifty cents, and for every certificate of a report and regiſtry, the ſum of fifty cents, to be paid by the perſon making or requiring the ſame, reſpectively. And the clerk of the diſtrict-court, to whom a return of the regiſtry of any alien, ſhall have been made, as aforeſaid, and the ſucceſſor of ſuch clerk, and of any other officer or perſon authoriſed to regiſter aliens, who ſhall hold any former regiſtry, ſhall and may grant certificates thereof, to the ſame effect as the original regiſter might do. And the clerk of each diſtrict-court ſhall, during one year from the paſſing of this act, make monthly returns to the Department of

Report to be recorded, &c.

Fees for regiſtering aliens.

Certificates thereof, how to be granted.

Clerks of the diſtrict-courts to make monthly returns to the department of ſtate.

State, of all aliens regiſtered and returned, as aforeſaid, in his office.

Penalty on aliens refuſing or neglecting to make a report, &c.

Sec. 5. *And be it further enacted*, That every alien who ſhall continue to reſide, or who ſhall arrive, as aforeſaid, of whom a report is required as aforeſaid, who ſhall refuſe or neglect to make ſuch report, and to receive a certificate thereof, ſhall forfeit and pay the ſum of two dollars; and any juſtice of the peace, or other civil magiſtrate, who has authority to require ſurety of the peace, ſhall and may, on complaint to him made thereof, cauſe ſuch alien to be brought before him, there to give ſurety of the peace and good behavior during his reſidence within the United States, or for ſuch term as the juſtice or other magiſtrate ſhall deem reaſonable, and until a report and regiſtry of ſuch alien ſhall be made, and a certificate thereof, received as aforeſaid; and in failure of ſuch ſurety, ſuch alien ſhall and may be committed to the common gaol, and ſhall be there held, until the order which the juſtice or magiſtrate ſhall and may reaſonably make, in the premiſes, ſhall be performed. And every perſon, whether alien, or other, having the care of any alien or aliens, under the age of twenty-one years, or of any white alien holden in ſervice, who ſhall refuſe and neglect to make report thereof, as aforeſaid, ſhall forfeit the ſum of two dollars, for each and every ſuch minor or ſervant, monthly, and every month, until a report and regiſtry, and a certificate thereof, ſhall be had, as aforeſaid.

Surety of the peace may be required of them.

Penalty on perſons having the care of aliens refuſing or neglecting to make report.

Certificate of the regiſtry of aliens required to

Sec. 6. *And be it further enacted*, That in reſpect to every alien, who ſhall come to reſide within the United States after the paſſing of this act, the time of the regiſtry of ſuch alien ſhall be taken to be the time when the term of reſidence within the limits, and under the juriſ-

diction of the United States, ſhall have commenced, in caſe of an application by ſuch alien, to be admitted a citizen of the United States; and a certificate of ſuch regiſtry ſhall be required, in proof of the term of reſidence, by the court to whom ſuch application ſhall and may be made.

ſhew the commencement of their reſidence on application to be naturalized.

Sec. 7. *And be it further enacted*, That all and ſingular the penalties eſtabliſhed by this act, ſhall and may be recovered in the name, and to the uſe of any perſon, who will inform and ſue for the ſame, before any judge, juſtice, or court, having juriſdiction in ſuch caſe, and to the amount of ſuch penalty, reſpectively.

Penalties how to be recovered.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 18, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXII.

An Act to amend the act, intituled, "An act providing a naval armament," and the act intituled, "An act to authorize the Preſident of the United States to cauſe to be purchaſed or built, a number of ſmall veſſels, to be equipped as gallies or otherwiſe.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States ſhall be, and he is hereby authorized, when he ſhall think fit to increaſe the ſtrength of any revenue-cutter, for the purpoſes of defence, againſt hoſtilities near the ſea coaſt, to employ on board the ſame, at his diſcretion, not exceeding ſeventy marines and ſeamen; any thing in the act, intituled, "An act providing a naval armament," to the contrary hereof, notwithſtanding.

Preſident may encreaſe the ſtrength of revenue-cutters.

Sec. 2. *And be it further enacted*, That the President of the United States ſhall be, and he is hereby authorized to fix the degree of rank, and the rate of pay and ſubſiſtence, not exceeding what is allowed upon the naval eſtabliſhment, which ſhall be granted and allowed to the officers who ſhall be duly commiſſioned in the ſervice of the United States on board of any ſmall veſſel or galley, which ſhall be fitted out under his orders, purſuant to the act, intituled, "An act to authorize the Preſident of the United States to cauſe to be purchaſed, or built, a number of ſmall veſſels, to be equipped as gallies, or otherwiſe;" any thing therein, to the contrary hereof, notwithſtanding.

Preſident may fix the rank, pay and ſubſiſtence of the officers of ſmall veſſels and gallies.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 22, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXIII.

An Act to extend the privilege of franking letters and packets to the ſecretary of the navy.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That all letters and packets to or from the ſecretary of the navy, ſhall be received and conveyed by poſt, free of poſtage, under the like reſtrictions and limitations as are provided reſpecting letters and packets to or from the heads of the other departments of the government, by the nineteenth ſection of the act, entitled, "An act to eſtabliſh

the poſt-office and poſt-roads within the United States."

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 22, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXIV.

An ACT *ſupplementary to, and to amend the act, intituled, "An act authorizing the Preſident of the United States to raiſe a proviſional army."*

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the companies of volunteers, and the members of each company, who ſhall be duly engaged and accepted by the Preſident of the United States, and organized with proper officers commiſſioned by him, purſuant to the third ſection of the act, intituled "An act authorizing the Preſident of the United States to raiſe a proviſional army," ſhall ſubmit to, and obſerve ſuch rules of training and diſcipline, as ſhall be thought neceſſary to prepare them for actual ſervice; and which rules the Preſident of the United States is hereby authorized to make and eſtabliſh; and all ſuch companies and volunteers are hereby exempted, until their diſcharge, or during the time of their engagement, as aforeſaid, from all militia duty which is or ſhall be required by the laws of the United States, or of any ſtate, and from every fine, penalty or diſability, which is or ſhall be provided to enforce the performance of any duty or ſervice in the militia.

Volunteers to obſerve the rules to be fixed by the Preſident for training & diſciplining them.

Exempted from militia duty.

President may appoint their field officers.

Sec. 2. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorized, by and with the consent of the Senate, or by himself in the recess of Congress, pursuant to the said act, to appoint and commission, as soon as he shall think it expedient, such and so many field officers as shall be necessary for the organizing and embodying in legions, regiments or battalions, any volunteer companies who shall engage, and shall be accepted, as aforesaid; and such field officers shall have authority, accordingly, to train and discipline such volunteer companies, pursuant to the rules therefor, which shall be established, as aforesaid: *Provided*, That no officer or volunteer, who shall be appointed, engaged or employed in any training or discipline, as aforesaid, shall be considered as in the pay of the United States, until called into actual service.

President may authorize the sale to them of artillery, arms, &c.

Sec. 3. *And be it further enacted*, That the President of the United States may authorize the sale, at a reasonable rate, sufficient to indemnify the United States, to any company of volunteers who shall be accepted, as aforesaid, of such pieces of artillery, small arms and accoutrements, to be delivered from the public arsenals, as shall be found necessary for the equipment and training of such volunteers; or may loan the same to them upon the receipts of their respective officers, to be accounted for, or returned, at the expiration of their engagement, or other discharge: And of such sales or loans, the necessary accounts shall be kept in the War Department, and the money accruing, by any sale, shall be paid into the treasury of the United States; and the same shall be, and is hereby appropriated for the purchase of other artillery,

or may loan the same.

arms and accoutrements, as the Preſident of the United States ſhall direct.

Preſident may proceed to appoint ſuch of the officers for the army of 10,000 men as may be more immediately requiſite.

Sec. 4. *And be it further enacted*, That the Preſident of the United States may proceed to appoint and commiſſion, in the manner preſcribed by the ſaid act, ſuch and ſo many of the officers authorized thereby for the raiſing, organizing and commanding the proviſional army of ten thouſand men, as, in his opinion, the public ſervice ſhall more immediately require; any thing which may be ſuppoſed in the ſaid act, to the contrary hereof, notwithſtanding: *Provided*, That the officers who ſhall be ſo appointed ſhall not be entitled to any pay, ſubſiſtence or other emolument, by reaſon of ſuch commiſſion, until they ſhall be reſpectively employed in the actual ſervice of the United States: *And provided*, That the further raiſing of the ſaid army ſhall not be authorized otherwiſe than as by the ſaid act is provided.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 22, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXV.

An Act concerning Aliens.

Preſident may order certain aliens to depart.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That it ſhall be lawful for the Preſident of the United States at any time during the continuance of this act, to *order* all ſuch *aliens* as he ſhall judge dangerous to the peace and ſafety of the United States, or ſhall have reaſonable grounds to ſuſpect are concerned in any treaſonable or ſecret machi-

nations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the Secretary of State, by the Marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart, shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a *licence* from the President to reside therein, or having obtained such *licence* shall not have conformed thereto, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States. *Provided always, and be it further enacted*, That if any alien so ordered to depart shall prove to the satisfaction of the President, by evidence to be taken before such person or persons as the President shall direct, who are for that purpose hereby authorised to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the President may grant a *licence* to such alien to remain within the United States, for such time as he shall judge proper, and at such place as he may designate. And the President may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties to the satisfaction of the person authorised by the President to take the same, conditioned for the good behavior of such alien during his residence in the United States, and not violating his licence, which licence the President may revoke, whenever he shall think proper.

Manner of serving the order.

Penalty upon an alien being thereafter found at large.

If an alien ordered to depart, shall make certain proof, he may receive a licence to remain.

President may require security from such alien.

Sec. 2. *And be it further enacted*, That it shall be lawful for the President of the United States, whenever he may deem it necessary for the public safety, to order to be removed out of the territory thereof, any alien who may or shall be in prison in pursuance of this act; and to cause to be arrested and sent out of the United States such of those aliens as shall have been ordered to depart therefrom and shall not have obtained a licence as aforesaid, in all cases where in the opinion of the President the public safety requires a speedy removal. And if any alien so removed or sent out of the United States by the President shall voluntarily return thereto, unless by permission of the President of the United States, such alien on conviction thereof, shall be imprisoned so long as in the opinion of the President, the public safety may require.

The President may order certain aliens to be removed out of the United States.

Penalty on their returning.

Sec. 3. *And be it further enacted*, That every master or commander of any ship or vessel which shall come into any port of the United States after the first day of July next, shall immediately on his arrival make report in writing to the collector or other chief officer of the customs of such port, of all aliens if any, on board his vessel, specifying their names, age, the place of nativity, the country from which they shall have come, the nation to which they belong and owe allegiance, their occupation and a description of their persons, as far as he shall be informed thereof, and on failure, every such master and commander shall forfeit and pay three hundred dollars, for the payment whereof on default of such master or commander, such vessel shall also be holden, and may by such collector or other officer of the customs be detained. And it shall be the duty of such col-

Masters of vessels to make report concerning aliens, to officers of the customs.

Penalty on failure to do so.

Officers of the customs to transmit copies of the returns.

lector or other officer of the customs, forthwith to transmit to the office of the department of State, true copies of all such returns.

Circuit and district courts to have jurisdiction.

Sec. 4. *And be it further enacted*, That the Circuit and District Courts of the United States, shall respectively have cognizance of all crimes and offences against this act. And all marshals and other officers of the United States are required to execute all precepts and orders of the President of the United States issued in pursuance or by virtue of this act.

Marshals, &c. to execute orders of the President.

Aliens ordered to be removed may dispose of their property.

Sec 5. *And be it further enacted*, That it shall be lawful for any alien who may be ordered to be removed from the United States, by virtue of this act, to take with him such part of his goods, chattels, or other property, as he may find convenient; and all property left in the United States, by any alien, who may be removed, as aforesaid, shall be, and remain subject to his order and disposal, in the same manner as if this act had not been passed.

Limitation of the act.

Sec. 6. *And be it further enacted*, That this act shall continue and be in force for and during the term of two years from the passing thereof.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, June 25, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER LXXVI.

An Act to authorize a grant of lands to Stephen Monot, and others, inhabitants of Galliopolis, therein named.

Survey to be made of 1200 acres of lands.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall be the duty of the Surveyor-General of the

North-Weſtern Territory, to ſurvey one thouſand two hundred acres of land, beginning on the bank of the Ohio river at the lower corner of a tract ſurveyed purſuant to an act of Congreſs, entitled, "An act to authorize a grant of lands to the French inhabitants of Galliopolis, and for other purpoſes therein mentioned," and running thence down ſaid river along the courſes thereof ſix hundred and forty poles when reduced to a ſtraight line, thence extending back from the river and parallel to the lower line of the ſaid grant ſo far as to include the quantity aforeſaid. And the ſaid Surveyor-General ſhall by lines plainly marked upon trees, divide the ſaid tract into eight equal parts or lots, having each as nearly as may be, an equal front on the river, and deſignated by progreſſive numbers, marked on the corners thereof. And the Surveyor-General, when the ſaid lots are laid off and numbered as aforeſaid, ſhall diſtribute or aſſign the ſame by lot, to Stephen Monot, Lewis Anthony Carpentier, Lewis Vimont, Francis Valton, Lewis Philip A. Fichon, Anthony Maguet, Margaret G. C. Champaigne, wife of Peter A. Laforge, and Maria I. Dalliez, wife of Peter Luc, and to their heirs, being inhabitants of Galliopolis, who were prevented from obtaining their proportion of the land granted by the act aforeſaid. The ſaid Surveyor-General ſhall alſo make out a fair plat of the ſaid tract, and ſhall deſignate thereon the ſaid lots, marked each with the name of the perſon to whom the ſame ſhall have been aſſigned by lot as aforeſaid, which plat with a certificate of the bounds and courſes of the ſaid tract and lots he ſhall record in his office, and return a copy thereof to the Secretary of State, to be filed in his office.

To be divided into eight parts, & aſſigned by lot to the perſons named.

Plats to be made of the tract and lots.

Letters patent to be iſſued therefor.

Sec. 2. *And be it further enacted*, That the Preſident of the United States be, and he is hereby authorized and empowered to iſſue letters patent in the uſual form, thereby granting to the perſons above named, and to their heirs, the ſaid tract of land to be held by them and their heirs in ſeveralty, in lots deſignated, numbered and marked as aforeſaid.

Saving of private contracts made with the grantees.

Sec. 3. *And be it further enacted*, That nothing in this act ſhall be taken or conſidered in any manner to affect the claims of the perſons herein named againſt any perſon or perſons, for or by reaſon of any contracts heretofore made by them, but that the ſame contracts ſhall be and remain in the ſame ſtate as if this act had not paſſed.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 25, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXVII.

An Act to authorize the defence of the merchant veſſels of the United States againſt French depredations.

Merchant veſſels may oppoſe ſearches &c. attempted by the French:

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the commander and crew of any merchant veſſel of the United States, owned wholly by a citizen or citizens thereof, may oppoſe and defend againſt any ſearch, reſtraint or ſeizure which ſhall be attempted upon ſuch veſſel or upon any other veſſel owned as aforeſaid by the commander or crew of any armed veſ-

ſel ſailing under French colours, or acting, or pretending to act, by, or under the authority of the French Republic; and may repel by force any aſſault or hoſtility which ſhall be made or committed, on the part of ſuch French, or pretended French veſſel, purſuing ſuch attempt, and may ſubdue and capture the ſame; and may alſo retake any veſſel owned, as aforeſaid, which may have been captured by any veſſel ſailing under French colours, or acting, or pretending to act by or under authority from the French Republic.

repel aſſaults, capture the aggreſſors, and make recaptures.

Sec. 2. *And be it further enacted*, That whenever the commander and crew of any merchant veſſel of the United States ſhall ſubdue and capture any French, or pretended French armed veſſel, from which an aſſault or other hoſtility ſhall be firſt made, as aforeſaid, ſuch armed veſſel with her tackle, appurtenances, ammunition and lading, ſhall accrue, the one-half to the owner or owners of ſuch merchant veſſel of the United States, and the other half to the captors: And being brought into any port of the United States, ſhall and may be adjudged and condemned to their uſe, after due proceſs and trial, in any court of the United States, having admiralty juriſdiction, and which ſhall be holden for the diſtrict into which ſuch captured veſſel ſhall be brought; and the ſame court ſhall thereupon order a ſale and diſtribution thereof, accordingly, and at their diſcretion; ſaving any agreement, which ſhall be between the owner or owners, and the commander and crew of ſuch merchant veſſel. In all caſes of recapture of veſſels belonging to citizens of the United States, by any armed merchant veſſel, aforeſaid, the ſaid veſſels, with their cargoes, ſhall be adjudged to be reſtored, and ſhall, by decree of ſuch courts as have ju-

Captured veſſels may be condemned, ſold & diſtributed.

Recaptured American veſſels to be reſtored on paying ſalvage.

riſdiction, in the premiſes, be reſtored to the former owner or owners, he or they paying for ſalvage, not leſs than one-eighth, nor more than one-half of the true value of the ſaid veſſels and cargoes, at the diſcretion of the court; which payments ſhall be made without any deduction, whatſoever.

Security to be given previous to the clearing of armed merchant veſſels.

Sec. 3. *And be it further enacted*, That after notice of this act, at the ſeveral cuſtom-houſes, no armed merchant veſſel of the United States ſhall receive a clearance or permit, or ſhall be ſuffered to depart therefrom, unleſs the owner or owners, and the maſter or commander of ſuch veſſel for the intended voyage, ſhall give bond, to the uſe of the United States, in a ſum equal to double the value of ſuch veſſel, with condition, that ſuch veſſel ſhall not make or commit any depredation, outrage, unlawful aſſault, or unprovoked violence upon the high ſeas, againſt the veſſel of any nation in amity with the United States; and that the guns, arms and ammunition of ſuch veſſel ſhall be returned within the United States, or otherwiſe accounted for, and ſhall not be ſold or diſpoſed of in any foreign port or place; and that ſuch owner or owners, and the commander and crew of ſuch merchant veſſel, ſhall, in all things, obſerve and perform ſuch further inſtructions in the premiſes, as the Preſident of the United States ſhall eſtabliſh and order, for the better government of the armed merchant veſſels of the United States.

The Preſident ſhall eſtabliſh inſtructions for the government of

Sec. 4. *And be it further enacted*, That the Preſident of the United States ſhall be, and he is hereby authorized to eſtabliſh and order ſuitable inſtructions to, and for, the armed merchant veſſels of the United States, for the better governing and reſtraining the commanders and crews who ſhall be employed therein, and

to prevent any outrage, cruelty or injury, which they may be diſpoſed to commit; a copy of which inſtructions ſhall be delivered by the collector of the cuſtoms to the commander of ſuch veſſel, when he ſhall give bond, as aforeſaid. armed merchant veſſels.

And it ſhall be the duty of the owner or owners, and commander and crew, for the time being, of ſuch armed merchant veſſel of the United States, at each return to any port of the United States, to make report to the collector thereof of any rencounter which ſhall have happened with any foreign veſſel, and of the ſtate of the company and crew of any veſſel which they ſhall have ſubdued or captured; and the perſons of ſuch crew or company ſhall be delivered to the care of ſuch collector, who, with the aid of the marſhal of the ſame diſtrict, or the neareſt military officer of the United States, or of the civil or military officers of any ſtate, ſhall take ſuitable care for the reſtraint, preſervation and comfort of ſuch perſons, at the expenſe of the United States, until the pleaſure of the Preſident of the United States ſhall be known concerning them. Report to be made to the collector on their return into the U. States. Diſpoſal of priſoners.

Sec. 5. *And be it further enacted*, That this act ſhall continue and be in force for the term of one year, and until the end of the next ſeſſion of Congreſs thereafter. Limitation of the act.

Sec. 6. *Provided, and be it further enacted*, That whenever the government of France, and all perſons acting by, or under their authority, ſhall diſavow, and ſhall cauſe the commanders and crews of all armed French veſſels to refrain from the lawleſs depredations and outrages hitherto encouraged and authorized by that government againſt the merchant veſſel[s] of the United States, and ſhall cauſe the laws of nations to be obſerved by the ſaid armed French veſſels, the Preſident of the United The Preſident may inſtruct the armed merchant veſſels to ſubmit to ſearches, &c, when French armed veſſels ſhall ob-

ſerve the law of nations, &c.

States ſhall be, and he is hereby authorized to inſtruct the commanders and crews of the merchant veſſels of the United States to ſubmit to any regular ſearch by the commanders or crews of French veſſels, and to refrain from any force or capture to be exerciſed by virtue hereof.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*
APPROVED, June 25, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXVIII.

An Act to puniſh frauds committed on the Bank of the United States.

Penalty on forging or uttering counterfeit bills, notes, orders or checks, by or upon the bank of the U. States.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That if any perſon ſhall falſely make, alter, forge or counterfeit, or cauſe or procure to be falſely made, altered, forged or counterfeited, or willingly aid or aſſiſt in falſely making, altering, forging or counterfeiting any bill or note iſſued by order of the preſident, directors and company of the Bank of the United States, and ſigned by the preſident, and counterſigned by the caſhier thereof, or any order or check on the ſaid caſhier or corporation, for the payment of money, with intention to defraud the ſaid corporation, or any other body politic or perſon, or ſhall utter or publiſh, as true, any falſe, altered, forged or counterfeited bill or note iſſued by order of the preſident, directors and company of the Bank of the United States, and ſigned by the preſident, and counterſigned by the caſhier thereof, or any order or check on the ſaid caſhier or corporation, for the payment

of money, with intention to defraud the ſaid corporation, or any other body politic or perſon, knowing the ſame to be falſely altered, forged or counterfeited, every ſuch perſon ſhall be deemed and adjudged guilty of felony, and being thereof convicted, according to the due courſe of law, ſhall be ſentenced to be impriſoned and kept at hard labour for a period not leſs than three years, nor more than ten years, or ſhall be impriſoned not exceeding ten years, and fined not exceeding five thouſand dollars: *Provided*, That nothing herein contained ſhall be conſtrued to deprive the courts of the individual States of a juriſdiction under the laws of the ſeveral States over the offences declared puniſhable by this act.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, June 27, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXIX.

An Act in addition to the act more effectually to protect the commerce and coaſts of the United States.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That all ſuch armed veſſels as may be ſeized, taken and brought into any port of the United States, in purſuance of the act, entitled "An act more effectually to protect the commerce and coaſts of the United States," with the apparel, guns and appurtenances of ſuch veſſels, and the goods and effects, which ſhall be found on board the ſame, ſhall be liable to forfeiture and condem-

Captured armed veſſels and goods may be condemned in the diſtrict courts.

Forfeiture not to extend to captured property of citizens or residents in the U. States.

nation, and may be libelled and proceeded againſt in the diſtrict courts of the United States, for the diſtrict into which the ſame may be brought. *Provided*, that ſuch forfeiture ſhall not extend to any goods or effects, the property of any citizen or perſon reſident within the United States, and which ſhall have been before taken by the crew of ſuch captured veſſel.

Re-captured property of citizens and reſidents to be reſtored, paying ſalvage.

Sec. 2. *And be it further enacted*, That whenever any veſſel, the property of, or employed by any citizen of the United States, or perſon reſident therein, or any goods or effects belonging to any ſuch citizen or reſident, ſhall be re-captured by any public armed veſſel of the United States, the ſame ſhall be reſtored to the former owner or owners, upon due proof, he or they paying and allowing, as and for ſalvage to the re-captors, one-eighth part of the value of ſuch veſſel, goods and effects, free of all deduction and expenſes.

Diſtribution of prizes.

Sec. 3. *And be it further enacted*, That whenever any armed veſſel, captured and condemned, as aforeſaid, ſhall have been of ſuperior or equal force to the public armed veſſel of the United States by which ſuch capture ſhall have been made, the forfeiture ſhall be and accrue wholly to the captors: and in other caſes, one-half thereof ſhall be to the uſe of the United States, and the reſidue to the captors. And all ſalvage which ſhall be allowed and recovered upon any veſſel, goods or effects re-captured, and to be reſtored, as aforeſaid, ſhall belong wholly to the officers and crew of the public armed veſſel of the United States by which ſuch re-capture ſhall be made: And the court before whom any condemnation ſhall be had, as aforeſaid, ſhall and may order the ſale of the veſſel, goods and effects condemned, to be

Salvage to belong wholly to the officers and crew.

Court condemning may order a ſale, &c.

made at public auction, upon due notice by the marſhal of the diſtrict in which the ſame ſhall be: And all expenſes of condemnation and ſale, being deducted from the proceeds, the part thereof which ſhall accrue to the United States, ſhall be paid into the public treaſury, and the reſidue, and all allowances of ſalvage, as aforeſaid, ſhall be diſtributed to, and among the officers and crews concerned therein, in the proportions which the Preſident of the United States ſhall direct.

Officers and crews of captured veſſels, &c. to be confined.

Sec. 4. *And be it further enacted* That it ſhall be lawful for the Preſident of the United States to cauſe the officers and crews of the veſſels ſo captured and hoſtile perſons found on board any veſſel, which ſhall be re-captured, as aforeſaid, to be confined in any place of ſafety within the United States, in ſuch manner as he may think the public intereſt may require, and all marſhals and other officers of the United States are hereby required to execute ſuch orders as the Preſident may iſſue for the ſaid purpoſe.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, June 28, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXX.

An Act making an appropriation for the expenſes incident to the new regiment of artilleriſts and engineers, during the year one thouſand ſeven hundred and ninety-eight.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the ſum of eighty-

eight thouſand dollars be, and the ſame hereby is appropriated for the pay, ſubſiſtence, cloathing, forage, bounties, quarter-maſter's ſupplies, and all contingent expenſes, during the year one thouſand ſeven hundred and ninety-eight, of the regiment of artilleriſts and engineers to be raiſed for the ſervice of the United States, purſuant to an act, intituled "An act to provide an additional regiment of artilleriſts and engineers:" The ſaid ſum of eighty-eight thouſand dollars to be paid out of any unappropriated money in the Treaſury of the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, June 28, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXI.

An Act ſupplementary to the act, intituled "An act to provide an additional armament for the further protection of the trade of the United States; and for other purpoſes."

The Preſident may accept veſſels offered on the credit of the U. States; whereupon he may cauſe evidence of the debt or obligation to be given therefor.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States ſhall be, and he is hereby authorized to accept, in behalf of the United States, of the propoſals of any perſons who ſhall offer and undertake to compleat, provide and deliver, to the uſe, and upon the credit of the United States, on terms, in his opinion, advantageous or convenient, any veſſel or veſſels, now building, or to be built within the United States, of a model and ſize which he ſhall approve, and armed and equipped, or ſuitable to be armed for the public ſervice: And upon the delivery of the veſſel or veſſels, accord-

ing to ſuch propoſals, or to the acceptance of the Preſident of the United States, he may cauſe proper certificates, or other evidence of the debt or obligation of the United States incurred thereby, to be made and given at the Treaſury Department, and which ſhall be there regiſtered, to the uſe and benefit of the perſons concerned: *Provided*, That not more than twelve veſſels, in addition to thoſe already authorized, ſhall and may be procured, by virtue hereof: *And provided*, That not more than ſix per cent. per annum, ſhall be allowed for any credit which ſhall be given under this act. And all certificates of debt ſhall be redeemable at the will of Congreſs.

Limitation to 12 veſſels.

No more than 6 per cent. to be allowed on credits.

Sec. 2. *And be it further enacted*, That the veſſels authorized by the act, intituled "An act to provide an additional armament for the further protection of the trade of the United States; and for other purpoſes," and thoſe which ſhall be authorized by this act, ſhall be procured and accepted according to the following rates, as nearly as may be; that is to ſay: ſix of them not exceeding eighteen guns each, and twelve of them not leſs than twenty, or exceeding twenty-four guns each, and ſix not leſs than thirty-two guns each; and the guns for each veſſel, to be of ſuch caliber and weight of metal, as the Preſident of the United States ſhall approve; any thing in the ſaid former act, to the contrary hereof, notwithſtanding.

Rates of the ſhips of war to be procured or accepted.

Sec. 3. *And be it further enacted*, That the Preſident of the United States may, at his diſcretion, accept of any veſſel armed and equipped, or ſuitable to be armed, of a model, ſize and force proper for the public ſervice, which any ſtate, body politic or corporate, citizen or citizens of the United States, ſhall voluntarily

The Preſident may accept of veſſels given to the uſe of the U. S.

offer and give, for the uſe of the United States, to increaſe the naval armament.

The Preſident may regulate the rank, pay, &c. of officers, and number of men to be employed, &c.

Sec. 4. *And be it further enacted*, That the Preſident of the United States ſhall be, and he is hereby authorized to determine and direct, according to the rate of each veſſel which ſhall be furniſhed or accepted in purſuance of this act, the rank, pay, and ſubſiſtence of the commiſſioned and warrant officers, who ſhall be appointed thereto; and the number of men to be engaged, and the pay to be allowed them, not exceeding the proportionable grades and allowances which are or ſhall be authorized by law, for the navy of the United States. And all officers of the ſaid navy, according to their reſpective ranks, ſhall be appointed in the manner preſcribed by the act, intituled, "An act to provide a naval armament."

The Preſident may vary the quotas of ſeamen, landſmen, &c.

Sec. 5. *And be it further enacted*, That the Preſident of the United States may, at his diſcretion, increaſe or vary the quotas of ſeamen, landſmen and marines, to be employed on board the frigates, and may permit a proportion of boys for them, and the other veſſels of the navy of the United States, according to the exigencies of the public ſervice.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, June 30, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXII.

An Act providing arms for the Militia throughout the United States.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there

shall be provided, at the charge and expense of the government of the United States, thirty thousand stand of arms, which shall be deposited by order of the President of the United States, at suitable places; for the purpose of being sold to the governments of the respective States, or the militia thereof, under such regulations, and at such prices as the President of the United States shall prescribe. 30,000 stand of arms to be provided, and sold to the state governments, and

Sec. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to cause all or any part of the arms herein directed to be provided and deposited for sale, which shall, at any time, remain unsold, to be delivered to the militia, when called into the service of the United States, proper receipts and security being given for the return of the same. those remaining unsold may be delivered to the militia, when called into service.

Sec. 3. *And be it further enacted*, That the monies arising from such sales shall be paid into the treasury of the United States, and the amount received shall be annually reported to Congress. Amount of sales to be paid into the Treasury.

Sec. 4. *And be it further enacted*, That for the purpose of carrying this act into effect, the President of the United States shall be, and he is hereby authorised to draw from the treasury of the United States, a sum not exceeding four hundred thousand dollars, to be paid out of any money in the treasury not otherwise appropriated. Appropriation.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

THEODORE SEDGWICK, *President of the Senate, pro tempore.*

APPROVED, July 6, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER LXXXIII.

An Act respecting alien enemies.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever there shall be a declared war between the United States and any foreign nation or government, or any invásion or predatory incursion shall be perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government, and the President of the United States shall make public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured and removed, as alien enemies. And the President of the United States shall be, and he is hereby authorized, in any event, as aforesaid, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, towards the aliens who shall become liable, as aforesaid; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those, who, not being permitted to reside within the United States, shall refuse or neglect to depart therefrom; and to establish any other regulations which shall be found necessary in the premises and for the public safety: Provided, That aliens resident within the United States, who shall become liable as enemies, in the manner aforesaid, and who shall not be chargeable with actual hostility, or other crime against the public safety, shall be

In case of war, or actual threatened invasion, the President shall make proclamation.

Alien enemies how to be treated.

If not chargeable with crimes against the public safety, time shall be allowed for their departure.

allowed, for the recovery, diſpoſal, and removal of their goods and effects, and for their departure, the full time which is, or ſhall be ſtipulated by any treaty, where any ſhall have been between the United States, and the hoſtile nation or government, of which they ſhall be natives, citizens, denizens or ſubjects: and where no ſuch treaty ſhall have exiſted, the Preſident of the United States may aſcertain and declare ſuch reaſonable time as may be conſiſtent with the public ſafety, and according to the dictates of humanity and national hoſpitality.

All courts of criminal juriſdiction—and alſo the judges of the U. States, may receive and hear complaints againſt alien enemies, and make an order thereon.

Sec. 2. *And be it further enacted*, That after any proclamation ſhall be made as aforeſaid, it ſhall be the duty of the ſeveral courts of the United States, and of each ſtate, having criminal juriſdiction, and of the ſeveral judges and juſtices of the courts of the United States, and they ſhall be, and are hereby reſpectively, authorized upon complaint, againſt any alien or alien enemies, as aforeſaid, who ſhall be reſident and at large within ſuch juriſdiction or diſtrict, to the danger of the public peace or ſafety, and contrary to the tenor or intent of ſuch proclamation, or other regulations which the Preſident of the United States ſhall and may eſtabliſh in the premiſes, to cauſe ſuch alien or aliens to be duly apprehended and convened before ſuch court, judge or juſtice; and after a full examination and hearing on ſuch complaint, and ſufficient cauſe therefor appearing, ſhall and may order ſuch alien or aliens to be removed out of the territory of the United States, or to give ſureties of their good behaviour, or to be otherwiſe reſtrained, conformably to the proclamation or regulations which ſhall and may be eſtabliſhed as aforeſaid, and may impriſon, or otherwiſe ſecure ſuch alien or aliens, until the order which ſhall and may be made, as aforeſaid, ſhall be performed.

Marſhals of the diſtrict to provide for their removal, for which he ſhall have a warrant.

Sec. 3. *And be it further enacted*, That it ſhall be the duty of the marſhal of the diſtrict in which any alien enemy ſhall be apprehended, who by the Preſident of the United States, or by order of any court, judge, or juſtice, as aforeſaid, ſhall be required to depart, and to be removed, as aforeſaid, to provide therefor, and to execute ſuch order, by himſelf or his deputy, or other diſcreet perſon or perſons to be employed by him, by cauſing a removal of ſuch alien out of the territory of the United States; and for ſuch removal, the marſhal ſhall have the warrant of the Preſident of the United States, or of the court, judge, or juſtice ordering the ſame, as the caſe may be.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 6, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXIV.

An Act to declare the treaties heretofore concluded with France, no longer obligatory on the United States.

WHEREAS the treaties concluded between the United States and France have been repeatedly violated on the part of the French government; and the juſt claims of the United States for reparation of the injuries ſo committed have been refuſed, and their attempts to negociate an amicable adjuſtment of all complaints between the two nations, have been repelled with indignity: And whereas, under authority of the French government, there is yet purſued againſt the United States, a ſyſtem of predatory violence, infracting the ſaid treaties, and hoſtile to the rights of a free and independent nation.

BE it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled, That the United States are of right freed and exonerated from the ſtipulations of the treaties, and of the conſular convention, heretofore concluded between the United States and France; and that the ſame ſhall not henceforth be regarded as legally obligatory on the government or citizens of the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 7, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXV.

An Act further to protect the commerce of the United States.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States ſhall be, and he is hereby authorized to inſtruct the commanders of the public armed veſſels, which are, or which ſhall be employed in the ſervice of the United States, to ſubdue, ſeize and take any armed French veſſel, which ſhall be found within the juriſdictional limits of the United States, or elſewhere, on the high ſeas, and ſuch captured veſſel, with her apparel, guns and appurtenances, and the goods or effects which ſhall be found on board the ſame, being French property, ſhall be brought within ſome port of the United States, and ſhall be duly proceeded againſt, and condemned as forfeited; and ſhall accrue, and be diſtributed, as by law is or ſhall

The Preſident may inſtruct the commanders of public armed veſſels to capture any French armed veſſels.

They ſhall be condemned and diſtributed.

be provided reſpecting the captures which ſhall be made by the public armed veſſels of the United States.

The Preſident may grant commiſſions to private armed veſſels, which ſhall have the ſame authority to capture as public armed veſſels.

Sec. 2. *And be it further enacted*, That the Preſident of the United States ſhall be, and he is hereby authorized to grant to the owners of private armed ſhips and veſſels of the United States, who ſhall make application therefor, ſpecial commiſſions in the form which he ſhall direct, and under the ſeal of the United States; and ſuch private armed veſſels, when duly commiſſioned, as aforeſaid, ſhall have the ſame licence and authority for the ſubduing, ſeizing and capturing any armed French veſſel, and for the re-capture of the veſſels, goods and effects of the people of the United States, as the public armed veſſels of the United States may by law have; and ſhall be, in like manner, ſubject to ſuch inſtructions as ſhall be ordered by the Preſident of the United States, for the regulation of their conduct. And the commiſſions which ſhall be granted, as aforeſaid, ſhall be revocable at the pleaſure of the Preſident of the United States.

They ſhall be ſubject to inſtructions of the Preſident.

Applicants for commiſſions to deliver a written deſcription.

Sec. 3. *Provided, and be it further enacted*, That every perſon intending to ſet forth and employ an armed veſſel, and applying for a commiſſion, as aforeſaid, ſhall produce in writing, the name, and a ſuitable deſcription of the tonnage and force of the veſſel, and the name and place of reſidence of each owner concerned therein, the number of the crew, and the name of the commander, and the two officers next in rank, appointed for ſuch veſſel; which writing ſhall be ſigned by the perſon or perſons making ſuch application, and filed with the Secretary of State, or ſhall be delivered to any other officer or perſon who ſhall be employed to deliver out ſuch commiſſions, to be by him tranſmitted to the Secretary of State.

Sec. 4. *And provided, and be it further enacted*, That before any commiſſion, as aforeſaid, ſhall be iſſued, the owner or owners of the ſhip or veſſel for which the ſame ſhall be requeſted, and the commander thereof, for the time being, ſhall give bond to the United States, with at leaſt two reſponſible ſureties, not intereſted in ſuch veſſel, in the penal ſum of ſeven thouſand dollars; or if ſuch veſſel be provided with more than one hundred and fifty men, then in the penal ſum of fourteen thouſand dollars; with condition that the owners, and officers and crews who ſhall be employed on board of ſuch commiſſioned veſſel, ſhall and will obſerve the treaties and laws of the United States, and the inſtructions which ſhall be given them for the regulation of their conduct: And will ſatisfy all damages and injuries which ſhall be done or committed contrary to the tenor thereof, by ſuch veſſel, during her commiſſion, and to deliver up the ſame when revoked by the Preſident of the United States.

They ſhall give ſecurity.

Sec. 5. *And be it further enacted*, That all armed French veſſels, together with their apparel, guns and appurtenances, and any goods or effects which ſhall be found on board the ſame, being French property, and which ſhall be captured by any private armed veſſel or veſſels of the United States, duly commiſſioned, as aforeſaid, ſhall be forfeited, and ſhall accrue to the owners thereof, and the officers and crews by whom ſuch captures ſhall be made; and on due condemnation had, ſhall be diſtributed according to any agreement which ſhall be between them; or in failure of ſuch agreement, then by the diſcretion of the court before whom ſuch condemnation ſhall be.

French ſhips and goods, captured by private armed veſſels, to be condemned and diſtributed.

Sec. 6. *And be it further enacted*, That all veſſels, goods and effects, the property of any

American property recaptured,

To be restored on the payment of salvage.

citizen of the United States, or person resident therein, which shall be re-captured, as aforesaid, shall be restored to the lawful owners, upon payment by them respectively, of a just and reasonable salvage, to be determined by the mutual agreement of the parties concerned, or by the decree of any court of the United States having maritime jurisdiction, according to the nature of each case: *Provided*, That such allowance shall not be less than one-eighth, or exceeding one half of the full value of such re-capture, without any deduction. And such salvage shall be distributed to and among the owners, officers and crews of the private armed vessel or vessels entitled thereto, according to any agreement which shall be between them; or in case of no agreement, then by the decree of the court who shall determine upon such salvage.

Distribution of salvage.

Sec. 7. *And be it further enacted*, That before breaking bulk of any vessel which shall be captured, as aforesaid, or other disposal or conversion thereof, or of any articles which shall be found on board the same, such capture shall be brought into some port of the United States, and shall be libelled and proceeded against before the district court of the same district; and if after a due course of proceedings, such capture shall be decreed as forfeited in the district court, or in the circuit court of the same district, in the case of any appeal duly allowed, the same shall be delivered to the owners and captors concerned therein, or shall be publicly sold by the Marshal of the same court, as shall be finally decreed and ordered by the court: And the same court, who shall have final jurisdiction of any libel or complaint of any capture, as aforesaid, shall and may decree restitution, in whole or in part, when the capture and restraint shall have been made without just cause, as aforesaid;

Captured vessels to be brought in and adjudicated.

and if made without probable cauſe, or otherwiſe unreaſonably, may order and decree damages and coſts to the party injured, and for which the owners, officers and crews of the private armed veſſel or veſſels by which ſuch unjuſt capture ſhall have been made, and alſo ſuch veſſel or veſſels ſhall be anſwerable and liable.

Priſoners to be reported to the Collector and delivered to the Marſhal, &c.

Sec. 8. *And be it further enacted*, That all French perſons and others, who ſhall be found acting on board any French armed veſſel, which ſhall be captured, or on board of any veſſel of the United States, which ſhall be re-captured, as aforeſaid, ſhall be reported to the Collector of the port in which they ſhall firſt arrive, and ſhall be delivered to the cuſtody of the Marſhal, or of ſome civil or military officer of the United States, or of any ſtate in or near ſuch port; who ſhall take charge for their ſafe keeping and ſupport, at the expenſe of the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 9, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXVI.

An Act limiting the time, within which claims againſt the United States, for credits on the books of the Treaſury, may be preſented for allowance.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That all credits on the books of the Treaſury of the United States, for tranſactions during the late war, which, according to the courſe of the Treaſury, have hitherto been diſcharged by iſſuing certificates

of regiſtered debt, ſhall be forever barred and precluded from ſettlement or allowance, unleſs claimed by the proper creditors, or their legal repreſentatives on or before the firſt day of March, in the year one thouſand ſeven hundred and ninety-nine. And the Secretary of the Treaſury is hereby required to cauſe this act to be publiſhed in one or more of the public papers of each ſtate.

JONATHAN DAYTON, *Speaker of the House of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 9, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXVII.

An Act to provide for the valuation of lands and dwelling-houſes, and the enumeration of ſlaves within the United States.

Diviſions deſignated in—

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That for the purpoſe of making the valuations and enumerations herein after directed, there ſhall be, and are hereby deſignated and eſtabliſhed, the following diviſions, to wit:

New-Hampſhire

The ſtate of New-Hampſhire ſhall contain five diviſions, as follow: The firſt diviſion to conſiſt of the county of Rockingham; the ſecond diviſion to conſiſt of the county of Strafford; the third diviſion to conſiſt of the county of Hillſborough; the fourth diviſion to conſiſt of the county of Cheſhire; and the fifth diviſion to conſiſt of the county of Grafton.

Maſſachuſetts,

The ſtate of Maſſachuſetts ſhall contain nine diviſions, as follow: The firſt diviſion to conſiſt of the counties of Hancock, Waſhington and Lincoln; the ſecond diviſion to conſiſt of

the counties of York and Cumberland; the third diviſion to conſiſt of the county of Eſſex; the fourth diviſion to conſiſt of the counties of Suffolk and Norfolk; the fifth diviſion to conſiſt of the county of Middleſex; the ſixth diviſion to conſiſt of the counties of Briſtol, Plymouth, Barnſtable, Duke's county and Nantucket; the ſeventh diviſion to conſiſt of the county of Worceſter; the eighth diviſion to conſiſt of the county of Hampſhire; and the ninth diviſion to conſiſt of the county of Berkſhire.

Rhode-Iſland,

The ſtate of Rhode-Iſland ſhall contain three diviſions, as follow: The firſt diviſion to conſiſt of the counties of Newport and Briſtol; the ſecond diviſion to conſiſt of the counties of Waſhington and Kent; and the third diviſion to conſiſt of the county of Providence.

Connecticut,

The ſtate of Connecticut ſhall contain five diviſions, as follow: The firſt diviſion to conſiſt of the counties of Hartford and Tolland; the ſecond diviſion to conſiſt of the counties of New-Haven and Middleſex; the third diviſion to conſiſt of the counties of New-London and Windham, the fourth diviſion to conſiſt of the county of Fairfield; and the fifth diviſion to conſiſt of the county of Litchfield.

Vermont,

The ſtate of Vermont ſhall contain five diviſions, as follow: The firſt diviſion to conſiſt of the counties of Windham and Windſor; the ſecond diviſion to conſiſt of the counties of Bennington and Rutland; the third diviſion to conſiſt of the counties of Orange and Caledonia; the fourth diviſion to conſiſt of the counties of Addiſon and Chittenden; and the fifth diviſion to conſiſt of the counties of Franklin, Orleans and Eſſex.

New-York.

The ſtate of New-York ſhall contain nine diviſions, as follow: The firſt diviſion to conſiſt of the counties of Suffolk, Queen's, King's

and Richmond; the ſecond diviſion to conſiſt of the city and county of New-York; the third diviſion to conſiſt of the counties of Weſt-Cheſter, Rockland, Orange and Ulſter; the fourth diviſion to conſiſt of the counties of Ducheſs and Columbia; the fifth diviſion to conſiſt of the counties of Renſſelaer and Schoharie, and the city and county of Albany; the ſixth diviſion to conſiſt of the counties of Waſhington, Clinton and Saratoga; the ſeventh diviſion to conſiſt of the counties of Montgomery, Oneida and Herkemer; the eighth diviſion to conſiſt of the counties of Delaware, Otſego, and Chenango; and the ninth diviſion to conſiſt of the counties of Tioga, Onandago, Steuben and Ontario.

New-Jerſey, The ſtate of New-Jerſey ſhall contain five diviſions, as follow: The firſt diviſion to conſiſt of the counties of Bergen, Eſſex and Middleſex; the ſecond diviſion to conſiſt of the counties of Suſſex and Morris; the third diviſion to conſiſt of the counties of Hunterdon and Somerſet; the fourth diviſion to conſiſt of the counties of Burlington and Monmouth; and the fifth diviſion to conſiſt of the counties of Glouceſter, Cumberland, Salem and Cape-May.

Pennſylvania. The ſtate of Pennſylvania ſhall contain nine diviſions, as follow: The firſt diviſion to conſiſt of the city and county of Philadelphia; the ſecond diviſion to conſiſt of the counties of Delaware, Cheſter and Lancaſter; the third diviſion to conſiſt of the counties of Montgomery and Bucks; the fourth diviſion to conſiſt of the counties of Berks and Dauphin; the fifth diviſion to conſiſt of the counties of Northampton, Wayne and Luzerne? the ſixth diviſion to conſiſt of the counties of York, Cumberland and Franklin; the ſeventh diviſion to conſiſt of the counties of Northumberland, Lycoming and Mifflin; the eighth diviſion to conſiſt of

the counties of Bedford, Somerſet and Huntingdon; and the ninth diviſion to conſiſt of the counties of Weſtmoreland, Alleghenny, Waſhington, Greene and Fayette.

The ſtate of Delaware ſhall contain three diviſions, as follow: The firſt diviſion to conſiſt of the county of New-Caſtle; the ſecond diviſion to conſiſt of the county of Kent; and the third diviſion to conſiſt of the county of Suſſex. Delaware,

The ſtate of Maryland ſhall contain ſeven diviſions, as follow: The firſt diviſion to conſiſt of the counties of Saint Mary's, Charles and Calvert; the ſecond diviſion to conſiſt of the counties of Montgomery and Prince George's (including the city of Waſhington); the third diviſion to conſiſt of the counties of Anne-Arundel) including the city of Annapolis and Baltimore (including the city of Baltimore); the fourth diviſion to conſiſt of the counties of Waſhington, Frederick and Allegan; the fifth diviſion to conſiſt of the counties of Harford, Cœcil and Kent; the ſixth diviſion to conſiſt of the counties of Queen Anne's, Caroline and Talbot; and the ſeventh diviſion to conſiſt of the counties of Somerſet, Dorcheſter and Worceſter. Maryland,

The ſtate of Virginia ſhall contain eleven diviſions, as follow: The firſt diviſion to conſiſt of the counties of Frederick, Berkeley, Shenandoah, Rockingham Auguſta, Rockbridge, Bath and Botetourt; the ſecond diviſion to conſiſt of the counties of Hampſhire, Brooke, Hardy, Pendleton, Harriſon, Monongalia, Ohio and Randolph; the third diviſion to conſiſt of the counties of Greenbrier, Kenhawa, Montgomery, Wythe, Grayſon, Waſhington, Ruſſell and Lee; the fourth diviſion to conſiſt of the counties of Patrick, Franklin, Henry, Bedford, Pittſylvania, Campbell and Halifax; the fifth Virginia,

diviſion to conſiſt of the counties of Charlotte, Prince Edward, Buckingham, Cumberland, Pawhatan, Amelia, Nottaway, Lunenberg and Mecklenburg; the ſixth diviſion to conſiſt of the counties of Cheſterfield, Dinwiddie, Brunſwick, Greenſville, Suſſex and Prince George; the ſeventh diviſion to conſiſt of the counties of Surry, Southampton, Iſle of Wight, Nanſemond, Norfolk and Princeſs-Anne; the eighth diviſion to conſiſt of the counties of Hanover, Henrico, New Kent, Charles city, James city, Matthews, Glouceſter, York, Warwick, Elizabeth city, Accomack and North Hampton; the ninth diviſion to conſiſt of the counties of Caroline, King and Queen, Eſſex, King William, Middleſex, Lancaſter, Northumberland, Richmond, Weſtmoreland and King George; the tenth diviſion to conſiſt of the counties of Stafford, Culpepper, Fairfax, Fauquier, Loudoun and Prince William; and the eleventh diviſion to conſiſt of the counties of Spottſylvania, Orange, Madiſon, Louiſa, Fluvanna, Goochland, Albemarle and Amherſt.

Kentucky. The ſtate of Kentucky ſhall contain five diviſions, as follow: The firſt diviſion to conſiſt of the counties of Madiſon, Lincoln, Garrard, Mercer, Waſhington, and that part of the county of Franklin which lies on the ſouth ſide of the Kentucky river; the ſecond diviſion to conſiſt of the counties of Nelſon, Shelby, Jefferſon, Bullitt and Hardin; the third diviſion to conſiſt of the counties of Green, Logan, Chriſtian and Warren; the fourth diviſion to conſiſt of the counties of Maſon, Fleming, Bracken, Campbell, Harriſon and Bourbon; and the fifth diviſion to conſiſt of the counties of Fayette, Woodford, Scot, Clark, Montgomery, and that part of Franklin county which lies on the north ſide of the Kentucky river.

North-Carolina,

The ſtate of North-Carolina ſhall contain ſeven diviſions, as follow: The firſt diviſion to conſiſt of Edenton diſtrict; the ſecond diviſion to conſiſt of Newbern diſtrict; the third diviſion to conſiſt of Halifax diſtrict; the fourth diviſion to conſiſt of Hillſborough diſtrict; the fifth diviſion to conſiſt of Saliſbury diſtrict; the ſixth diviſion to conſiſt of Morgan diſtrict; and the ſeventh diviſion to conſiſt of Wilmington and Fayette diſtricts.

Teneſſee,

The ſtate of Tenneſſee ſhall contain three diviſions, as follow: The firſt diviſion to conſiſt of the diſtrict of Waſhington; the ſecond diviſion to conſiſt of the diſtrict of Hamilton; and the third diviſion to conſiſt of the diſtrict of Mero.

South-Carolina,

The ſtate of South-Carolina ſhall contain five diviſions, as follow: The firſt diviſion to conſiſt of the diſtricts of Charleſton and Georgetown; the ſecond diviſion to conſiſt of the diſtricts of Cambden and Cheraw; the third diviſion to conſiſt of the diſtricts of Pinckney and Waſhington; the fourth diviſion to conſiſt of the diſtrict of Ninety-Six; and the fifth diviſion to conſiſt of the diſtricts of Orangeburg and Beaufort.

Georgia.

The ſtate of Georgia ſhall contain three diviſions, as follow: The firſt diviſion to conſiſt of the counties of Chatham, Bryan, Liberty, M'Intoſh, Glynn, Cambden and Effingham; the ſecond diviſion to conſiſt of the counties of Waſhington, Montgomery, Scriven, Burke, Richmond, Jefferſon, Warren and Columbia; and the third diviſion to conſiſt of the counties of Hancock, Wilkes, Green, Elbert, Oglethorpe, Jackſon, and Franklin.

To what diviſion new counties ſhall belong.

And where any new county ſhall have been, or hereafter may be formed, within any ſtate, out of any one or more of the counties compoſing any one of the aforeſaid diviſions, ſuch new county ſhall be conſidered as part of ſuch

diviſion; and if ſuch new county ſhall have been, or hereafter ſhall be formed out of counties lying in different diviſions, then the commiſſioners to be appointed in purſuance of this act, ſhall determine to which of ſuch diviſions it ſhall belong.

Commiſſioners to take an oath or affirmation.

Sec. 2. *And be it further enacted*, That the ſaid commiſſioners ſhall, before they enter on the diſcharge of the duties enjoined by this act, take and ſubſcribe, before ſome competent magiſtrate, an oath or affirmation, truly, faithfully and impartially to diſcharge their truſt; in default of taking which oath or affirmation, before entering on the diſcharge of the duties aforeſaid, the party failing ſhall forfeit and pay two hundred dollars for the uſe of the United States, to be recovered in any court having competent juriſdiction, with coſts of ſuit.

One commiſſioner to be appointed for each diviſion--they may be appointed in the receſs.

Sec. 3. *And be it further enacted*, That there ſhall be one commiſſioner appointed for each of ſaid diviſions, who ſhall reſide within the ſame; and if the appointment of ſaid commiſſioners, or any number of them, ſhall not be made during the preſent ſeſſion of Congreſs, the preſident of the United States ſhall be, and is hereby empowered to make ſuch appointment during the receſs of the Senate, by granting commiſſions which ſhall expire at the end of their next ſeſſion.

Commiſſioners for each ſtate to convene in a general meeting.

Sec. 4. *And be it further enacted*, That the commiſſioners for each ſtate ſhall, immediately, or as ſoon as may be, after their appointment, convene in a general meeting, at ſuch time and place as ſhall be appointed and directed by the commiſſioner for each ſtate, firſt named and qualified, according to this act; and a majority of the commiſſioners ſo convened, ſhall have power to adjourn to ſuch time and place as they ſhall judge proper: and a majority of the

commiſſioners to be appointed in each ſtate according to this act, when convened according to rules to be adopted at their firſt meeting, ſhall, and are hereby declared to be a board competent to tranſact and diſcharge any buſineſs or duties enjoined by this act.

They may appoint a clerk—

Sec. 5. *And be it further enacted*, That the ſaid commiſſioners, when convened as aforeſaid, ſhall and may appoint a ſuitable perſon to be their clerk, who ſhall hold his office at the pleaſure of the ſaid commiſſioners; whoſe duty it ſhall be to record and preſerve all rules, proceedings and documents of the ſaid commiſſioners, and who ſhall take an oath or affirmation, diligently and faithfully to diſcharge his truſt; which oath or affirmation, either of the ſaid commiſſioners is hereby authorized to adminiſter; and in default of taking ſuch oath or affirmation, previous to entering on the duties of the ſaid appointment, or on failure to record diligently and truly, all or any rules or proceedings of the ſaid commiſſioners, or to furniſh tranſcripts or copies thereof, when directed by the ſaid commiſſioners, or required by the Secretary of the Treaſury, in writing, ſuch clerk ſhall be diſcharged from office, and ſhall forfeit and pay one hundred dollars, to be recovered for the uſe of the United States, with coſts of ſuit, in any court having competent juriſdiction.

his duty:

he ſhall take an oath, &c.

Penalty on the non-attendance of commiſſioners at a general meeting, if not excuſed.

Sec. 6. *And be it further enacted*, That it ſhall be the duty of the ſaid commiſſioners, to cauſe to be recorded and noted, the names of ſuch of the ſaid commiſſioners as ſhall attend any general meeting, as alſo the periods of their attendance, reſpectively; and if any commiſſioner ſhall fail to attend ſuch general meeting, and ſhall not tranſmit or cauſe to be tranſmitted to the ſaid commiſſioners, at their ſaid meeting,

or that next ſubſequently holden, an excuſe for ſuch abſence, which ſhall, by a majority of the commiſſioners then preſent, be accepted as ſatisfactory and reaſonable, ſuch commiſſioner ſo failing, as aforeſaid, ſhall, for every day which he may be abſent, during ſuch meeting, forfeit and pay ten dollars, to be recovered for the uſe of the United States, with coſts of ſuit, in any court having competent juriſdiction; or to be deducted from the compenſation as hereafter eſtabliſhed for the ſaid commiſſioner: and a tranſcript from the records of the ſaid commiſſioners, certified by their clerk, by which it ſhall appear that any commiſſioner has failed, to attend a general meeting, and to tranſmit, or cauſe to be tranſmitted, an excuſe, which ſhall have been accepted as ſatisfactory and reaſonable, as aforeſaid, ſhall, and the ſame is hereby declared to be concluſive and legal evidence that the penalty aforeſaid has been incurred.

They may divide their ſtates into aſſeſſment diſtricts, and appoint aſſeſſors.

Sec. 7. *And be it further enacted*, That the commiſſioners for each ſtate, convened as aforeſaid, ſhall be, and hereby are authorized and empowered to divide their reſpective ſtates into a ſuitable and convenient number of aſſeſſment diſtricts, within each of which they ſhall appoint one reſpectable freeholder to be principal aſſeſſor, and ſuch number of reſpectable freeholders to be aſſiſtant aſſeſſors, as they ſhall judge neceſſary for carrying this act into effect: *Provided*, That the Secretary of the Treaſury ſhall be, and hereby is authorized to reduce the number of aſſeſſment diſtricts in any ſtate, or the number of aſſiſtant aſſeſſors in any diſtrict, if either ſhall appear to him to be too great.

Proviſo.

Aſſeſſors to take an oath.

And each aſſeſſor, ſo appointed, and accepting the appointment, ſhall, before he enters on the duties of his appointment, take and ſubſcribe before ſome competent magiſtrate, or ſome

commiſſioner to be appointed by virtue of this act, the following oath or affirmation, *to wit*: "I, A. B. do ſwear or affirm, that I will, to the beſt of my knowledge, ſkill and judgment, diligently and faithfully execute the office and duties of aſſeſſor for *(naming the aſſeſſment diſtrict)* without favor or partiality, and that I will do equal right and juſtice in every caſe in which I ſhall act as aſſeſſor:" and a certificate of ſuch oath or affirmation ſhall be delivered to the commiſſioner of the diſtrict for which ſuch aſſeſſor ſhall have been appointed; and every aſſeſſor, acting in his ſaid office, without having taken the ſaid oath or affirmation, ſhall forfeit and pay for the uſe of the United States, one hundred dollars, to be recovered with coſts of ſuit, in any court having competent juriſdiction.

Commiſſioners for each ſtate ſhall eſtabliſh regulations, &c.

Sec. 8. *And be it further enacted*, That the commiſſioners for each ſtate, convened, as aforeſaid, ſhall be, and hereby are authorized and required to eſtabliſh all ſuch regulations, as to them, or a majority of them, ſhall appear ſuitable and neceſſary, for carrying this act into effect; which regulations ſhall be binding on each commiſſioner and aſſeſſor, in the performance of the duties enjoined by, or under this act; and alſo to frame inſtructions for the ſaid aſſeſſors, informing them, and each of them, of the duties to be by them reſpectively performed under this act: Purſuant to whichr egulations and inſtructions, the ſaid commiſſioners ſhall, jointly or ſeverally, direct and cauſe the ſaid aſſeſſors, and each of them, to enquire after and concerning all lands, dwelling houſes and ſlaves in their reſpective aſſeſſment diſtricts, by reference to any records or documents, and to any liſts of aſſeſſment taken under the laws of their reſpective ſtates, and by all other lawful ways and means; and to value and enumerate the ſaid

Frame inſtructions for aſſeſſors and direct them to enquire after all lands, houſes & ſlaves, and value and enumerate them.

dwelling houſes, lands and ſlaves in the manner following, to wit: Every dwelling houſe above the value of one hundred dollars, with the out-houſes thereto appurtenant, and the lot on which ſuch dwelling houſe and out-houſes are erected, not exceeding two acres, in any caſe, ſhall be valued at the rate ſuch dwelling houſe, with the lot and appurtenances aforeſaid, are worth in money with a due regard to ſituation. All lands and town lots, except lots on which dwelling houſes above the value of one hundred dollars, with their appurtenances, are erected as aforeſaid, ſhall be valued by the quantity, either in acres, or ſquare feet as the caſe may be, at the average rate which each ſeparate and entire tract or lot is worth in money, in a due relation to other lands and lots, and with reference to all advantages, either of ſoil or ſituation, and to all buildings and other improvements of whatever kind, except dwelling houſes above the value of one hundred dollars, and the out houſes appurtenant thereto.—And all ſlaves, whether negroes, mulattoes or meſtizoes, above the age of twelve, and under the age of fifty years, ſhall be enumerated in the aſſeſſment diſtrict in which they may, reſpectively, be kept or employed at the time of the enumeration, except ſuch as from fixed infirmity, or bodily diſability, may be incapable of labor: *Provided*, That all property of whatever kind, coming within any of the foregoing deſcriptions, and belonging to the United States, or any ſtate, or permanently exempted from taxation by the laws of the ſtate wherein the ſame may be ſituated or poſſeſſed, ſhall be exempted from the aforeſaid valuation and enumeration.

Exemption of certain property.

Sec. 9. *And be it further enacted*, That for the purpoſe of making the aforeſaid valuations and enumerations, the aſſeſſors to be appointed in each aſſeſſment diſtrict, in pur-

Aſſeſſors ſhall diſtribute their diſ-

ſuance of this act, ſhall be, and hereby are authorized and required to diſtribute their reſpective aſſeſſment diſtricts, by mutual agreement, into ſuch number of diviſions as they ſhall deem convenient, not exceeding the number of aſſiſtant aſſeſſors appointed for each diſtrict; after which, they ſhall, ſeverally, proceed, without delay, through their reſpective diviſions, and in general through every part of their reſpective aſſeſſment diſtricts, and ſhall require all perſons owning or poſſeſſing any dwelling houſes, lands or ſlaves, or having the care or management thereof, to deliver ſeparate written liſts, ſpecifying in one liſt, the dwelling houſes; in another, the lands; and in a third, the ſlaves, owned, poſſeſſed, or ſuperintended by them reſpectively, in each and every aſſeſſment diſtrict of the ſtate, or of any other ſtate, deſignating the ſtate, county, pariſh, townſhip or town, as the caſe may be, where the property lies; and making ſeparate liſts, as aforeſaid, for the property in each: And the ſaid liſts ſhall ſpecify in reſpect to dwelling houſes, their ſituation, their dimenſions or area, their number of ſtories, the number and dimenſions of their windows, the materials whereof they are built, whether wood, brick or ſtone, the number, deſcription and dimenſions of the out-houſes appurtenant to them, and the names of their owners or occupants: And in reſpect to lands, the ſaid liſts ſhall ſpecify the quantity of each ſeparate tract or lot, the number, deſcription and dimenſions of all wharves and buildings thereon, except dwelling houſes above the value of one hundred dollars, and the out-houſes appurtenant thereto; the name of the owner or occupant; and the quantity of land which ſuch owner or occupant may claim, as entitled to exemption under this act, with the circumſtances whereon the claim reſts; and in reſpect to ſlaves, the ſaid liſts ſhall ſpe-

tricts into diviſions, proceed thro' the ſame, & require liſts of lands, &c. to be delivered.

Form of the liſts.

cify the number above the age of twelve, and under the age of fifty years, owned or poſſeſſed by, or under the care of each perſon, with the name of ſuch perſon.

Aſſeſſors may make liſts in certain caſes.

Sec. 10. *And be it further enacted*, That if any perſon, as aforeſaid, ſhall not be prepared to exhibit a written liſt, when required, and ſhall conſent to diſcloſe the particulars of any and all lands, dwelling houſes and ſlaves as aforeſaid, then and in ſuch caſe it ſhall be the duty of the aſſeſſor to make ſuch liſt, which being diſtinctly read and conſented to, ſhall be received as the liſt of ſuch perſon.

Penalty on delivering or diſcloſing a fraudulent liſt.

Sec. 11. *And be it further enacted*, That if any perſon ſhall deliver or diſcloſe to any aſſeſſor, appointed in purſuance of this act, and requiring a liſt or liſts, as aforeſaid, any falſe or fraudulent liſt, with intent to defeat or evade the valuation or enumeration hereby directed to be made, ſuch perſon ſo offending, and being thereof convicted before any court having competent juriſdiction, ſhall be fined in a ſum not exceeding five hundred dollars, nor leſs than one hundred dollars, at the diſcretion of the court, and ſhall pay all coſts and charges of proſecution: And the valuation and enumeration of ſuch perſon's property, ſhall, in all ſuch caſes, be made as aforeſaid upon liſts, according to the form above deſcribed, to be made out by the aſſeſſors, reſpectively; which liſts the ſaid aſſeſſors are hereby authorized and required to make, according to the beſt information they can obtain, and for the purpoſe of making which, they are hereby authorized to enter into and upon all and ſingular the premiſes reſpectively, and from the valuations and enumerations ſo made, there ſhall be no appeal.

How the aſſeſſors ſhall proceed in ſuch caſe.

Liſts to be taken.

Sec. 12. *And be it further enacted*, That the liſts aforeſaid ſhall be taken with reference to the firſt day of October next; and the commiſ-

sioners aforesaid shall prescribe a time to the assessors of assessment districts, within which time the said lists shall be taken and delivered to the principal assessor, to be named for that purpose, in each assessment district; which time shall not be more than thirty days from the time of receiving their precepts or warrants. And all lists of property, taken with reference to any other assessment district, than that in which the owner or possessor resides, shall be immediately transmitted to the commissioner superintending the district, and from him to the principal assessor of the district within which such property is situated.

with reference to the 1st Oct. 1798, and transmitted to the principal assessor.

Sec. 13. *And be it further enacted*, That in case any person shall be absent from his place of residence, at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor to leave at the house or place of residence of such person, a written note or memorandum, requiring him to present to such assessor the list or lists required by this act, within ten days from the date of such note or memorandum.

Note to be left, requiring absentees from their residence to present their lists.

Sec. 14. *And be it further enacted*, That if any person, on being required or notified as aforesaid, shall refuse or neglect to give such list or lists as aforesaid, within the time required by this act, it shall be the duty of the assessors for the assessment district, within which such person shall reside, or of some two or more of them, and they, or some two or more of them, are hereby authorized and required, to enter into and upon the lands, dwelling houses and premises of such person so neglecting or refusing, and to make, according to the best information which they can obtain, and on their own view, such list or lists of the lands, dwelling houses and slaves of such person, as are required by this act; which lists, so made and

How to proceed when persons refuse or neglect to give lists.

ſubſcribed, by ſuch aſſeſſors, ſhall be taken and reputed as good and ſufficient liſts of the lands, dwelling houſes and ſlaves of ſuch perſon, under, and for the purpoſes of this act: And the perſon ſo failing or neglecting, unleſs in caſe of ſickneſs, or abſence from home, for the whole period from the leaving of ſuch notification, to the expiration of the ſaid ten days, ſhall moreover, forfeit and pay the ſum of one hundred dollars, to be recovered, with coſts of ſuit, in any court having competent juriſdiction; one moiety to the uſe of the aſſeſſors for the aſſeſſment diſtrict, in which ſuch perſon ſhall reſide, and the other moiety to the uſe of the United States.

Penalty on ſuch refuſal or neglect.

Sec. 15. *And be it further enacted*, That whenever there ſhall be, in any aſſeſſment diſtrict, any dwelling houſes, lands or ſlaves, not owned or poſſeſſed by any perſon or perſons within ſuch diſtrict, and no liſt of which ſhall be tranſmitted to the principal aſſeſſor of ſuch diſtrict, in the manner provided by this act, it ſhall be the duty of the aſſeſſors for ſuch diſtrict or ſome one or more of them, and they, or ſome one or more of them, are hereby authorized and required to enter into and upon all ſuch dwelling houſes, lands and lots, and to make liſts of the ſame reſpectively, after the form preſcribed by this act, and alſo to make liſts of all ſlaves as aforeſaid; which liſts, being ſubſcribed by the ſaid aſſeſſor or aſſeſſors, ſhall be taken and reputed as good and ſufficient liſts of ſuch lands, dwelling houſes and ſlaves, under and for the purpoſes of this act.

How to proceed where dwelling houſes, &c. are not poſſeſſed by any perſon within the aſſeſſment diſtrict, & no liſt is rendered.

Sec. 16. *And be it further enacted*, That the aſſeſſors, after collecting the ſaid liſts of lands, dwelling houſes and ſlaves, ſhall proceed to value and aſſeſs the ſame, in a juſt proportion, according to this act, and ſhall arrange and claſs the ſaid lands, dwelling houſes and ſlaves,

After collecting liſts the aſſeſſors ſhall value and aſſeſs the

in three general lists; the first of which lists shall exhibit, in alphabetical order, the names of all proprietors and possessors, where known, of lots and tracts of land in such assessment district, with the quantity and valuation of each lot and tract, and the whole valuation of the lands belonging to, or possessed by any one person; the second list shall exhibit, in alphabetical order, the names of all proprietors and possessors of dwelling houses above the value of one hundred dollars, with the description and valuation of each dwelling house, and the appurtenances, and the quantity of land valued therewith, according to this act; and the third list shall exhibit, in alphabetical order, the names of all persons, owning, possessing, or having the care of any slaves, with the number of slaves, as aforesaid, owned by, or under the care of each person: And the forms of the said lists shall be devised and prescribed by the department of the Treasury.

lands, &c. & arrange and class them in three lists.

Sec. 17. *And be it further enacted*, That if any assessor shall fail to perform any duty assigned by this act, within the time prescribed in his precept, warrant or other legal instructions, not being prevented therefrom by sickness, or other unavoidable accident, every such assessor shall be discharged from office, and shall moreover forfeit and pay two hundred dollars, to be recovered for the use of the United States, in any court having competent jurisdiction, with costs of suit.

Penalty on assessor for failing to perform his duty.

Sec. 18. *And be it further enacted*, That immediately after the valuations and enumerations shall have been compleated, as aforesaid, the principal assessor in each assessment district, shall by written notifications, to be publicly posted up, in at least four of the most public places in such district, advertise all persons concerned, of the place where the said lists, valuations and enumerations may be seen and examined; and that during fifteen days after the publication of

Principal assessor to give notice of valuations and enumerations, and that appeals will be received.

the notifications, as aforeſaid, appeals will be received and determined by him relative to any erroneous or exceſſive valuations or enumerations by the aſſeſſor.

Principal aſſeſſor to ſubmit the proceedings and liſts of the aſſeſſors to inſpection and to hear appeals.

Sec. 19. *And be it further enacted*, That it ſhall be the duty of the principal aſſeſſor, in each aſſeſſment diſtrict, during fifteen days after the date of public notification to be made as aforeſaid, to ſubmit the proceedings of the aſſeſſors, and the liſts by them received or taken, as aforeſaid, to the inſpection of any and all perſons who ſhall apply for that purpoſe: And the ſaid principal aſſeſſors are hereby authorized to receive, hear and determine, in a ſummary way, according to law and right, upon any and all appeals which may be exhibited againſt the proceedings of the ſaid aſſeſſors: *Provided always*, That the queſtion to be determined by the principal aſſeſſor, on an appeal reſpecting the valuation of any lands or dwelling houſes, ſhall be, whether the valuation complained of, be, or be not in a juſt relation or proportion to other valuations in the ſame aſſeſſment diſtrict.

Manner of making appeals.

Sec. 20. *And be it further enacted*, That all appeals to the principal aſſeſſors, as aforeſaid, ſhall be made in writing, and ſhall ſpecify the particular cauſe, matter or thing, reſpecting which a deciſion is requeſted, and ſhall moreover, ſtate the ground or principal of inequality or error complained of, by reference to ſome one or more valuations of lands or dwelling houſes in the ſame aſſeſſment diſtrict; and in all caſes to which reference may be made in any appeal, as aforeſaid, the principal aſſeſſor ſhall have power to re-examine and equalize the valuations as ſhall appear juſt and equitable; but no valuation ſhall be encreaſed, without a previous notice of at leaſt five days to the party intereſted to appear and object to the ſame, if

Principal aſſeſſor may equalize the valuations; but they ſhall not be encreaſed without notice to the party.

he judge proper; which notice ſhall be given by a note in writing, to be left at the dwelling of the party, by ſuch aſſeſſor as the principal aſſeſſor ſhall deſignate for that purpoſe.

After the expiration of the time for appeals, the aſſeſſors ſhall tranſmit copies of their liſts, and abſtracts of their proceedings, to the commiſſioners.

Sec. 21. *And be it further enacted*, That immediately after the expiration of the time for receiving, hearing and deciding on appeals, and within ſuch period as ſhall be preſcribed by the commiſſioners aforeſaid, the principal aſſeſſor and other aſſeſſors of each aſſeſſment diſtrict, ſhall make out, ſubſcribe, and tranſmit to the commiſſioner ſuperintending the diſtrict, exact copies, certified under their hands, of all liſts reſpectively taken by them or either of them, as aforeſaid, together with three abſtracts of their proceedings; one of which abſtracts ſhall exhibit a ſummary view of the valuations of all lands; and another abſtract ſhall exhibit a ſummary view of the valuations of all dwelling houſes; and a third abſtract ſhall exhibit a ſummary view of the enumeration of all ſlaves, as aforeſaid, in each diſtrict; the forms of which abſtracts ſhall be eſtabliſhed and preſcribed by the department of the Treaſury.

The commiſſioners may reviſe the valuations.

Sec. 22. *And be it further enacted*, That the commiſſioners, as aforeſaid, ſhall have power, on conſideration and examination of the abſtracts to be rendered by the aſſeſſors, as aforeſaid, and of the liſts aforeſaid, to reviſe, adjuſt and vary, the valuations of lands and dwelling houſes in any aſſeſſment diſtrict, by adding thereto, or deducting therefrom, ſuch a rate per centum, as ſhall appear to be juſt and equitable: *Provided*, that the relative valuations of the different lots or tracts of land, or dwelling houſes, in the ſame aſſeſſment diſtrict, ſhall not be changed or affected: *Provided nevertheleſs*, That if manifeſt error or imperfection ſhall appear in any of the ſaid abſtracts, the com-

Relative valuations not to be changed.

If manifeſt error, &c. appear in the ab-

ſtracts, they may require the aſſeſſors to correct them, &c.

miſſioners ſhall and may require of the aſſeſſors, that the ſaid abſtracts be explained and corrected, and ſhall and may remove from office, any and all of the ſaid aſſeſſors, and otherwiſe proceed againſt them according to this act; and if neceſſary, in the opinion of a majority of the commiſſioners, convened in a general meeting, a new valuation may be directed, and after ſuch valuations ſhall have been compleated and confirmed in the manner preſcribed by this act, the ſaid commiſſioners ſhall cauſe the aforeſaid abſtracts and liſts to be tranſmitted to the Secretary of the Treaſury; in default of which, they ſhall ſeverally forfeit and pay, for the uſe of the United States, two hundred dollars, to be recovered with coſts of ſuit, in any court having competent juriſdiction.

Abſtracts and liſts to be tranſmitted to the Treaſury.

The commiſſioners ſhall and may direct the principal aſſeſſors to record the liſts, &c. and add to or deduct from the valuations.

Sec. 23. *And be it further enacted*, That the ſaid commiſſioners, as aforeſaid, ſhall and may direct the principal aſſeſſors of each aſſeſſment diſtrict, to regiſter and record the liſts, valuations and enumerations made by the aſſeſſors, as aforeſaid; and to add to, or deduct from the valuations of the lands and dwelling houſes of each individual, ſuch a rate per centum, as ſhall be determined by the commiſſioners, as aforeſaid.

Superviſors & inſpectors to depute a perſon in each aſſeſſment diſtrict to be ſurveyor of the revenue.

Sec. 24. *And be it further enacted*, That after the valuations, enumerations, and records thereof, ſhall have been completed, according to this act, it ſhall be lawful for the ſuperviſors of diſtricts comprehending but one ſurvey of inſpection, and the inſpectors of ſurveys in diſtricts comprehending more than one ſurvey of inſpection, with the concurrence of the ſuperviſors of ſuch diſtricts, to depute one ſkilful and fit perſon, in each aſſeſſment diſtrict, to be ſurveyor of the revenue; and every ſurveyor of the revenue, ſo appointed, ſhall give bond,

with ſurety, in a ſum not leſs than five hundred nor more than two thouſand dollars, for the diligent and faithful execution of his office, and ſhall take and ſubſcribe an oath or affirmation, truly, faithfully and impartially to diſcharge the duties enjoined by this act; and a certificate of the ſaid oath or affirmation, with the ſaid bond, ſhall be tranſmitted to, and lodged in the office of the ſuperviſor of the diſtrict.

Surveyors of the revenue to receive the records of the liſts, &c.

Sec 25. *And be it further enacted*, That it ſhall be the duty of the ſurveyors of the revenue to receive and ſafely preſerve the records of the liſts, valuations and enumerations herein before mentioned: And the ſaid ſurveyors ſhall keep true and exact accounts of the valuation of the lands and dwelling-houſes belonging to each and every individual, diſtinguiſhing each tract, lot and dwelling-houſe. And whenever any lands or dwelling-houſes, included in the ſaid valuation, ſhall be alienated, or in any way transferred, it ſhall be the duty of the ſurveyor of the revenue for the diſtrict, if a dwelling-houſe, or an entire tract or lot has been alienated, to charge the amount of the valuation thereon, to an account with the purchaſer, and to credit the account of the perſon diſpoſing of the ſame; and whenever a tract of land, lot, or dwelling-houſe, ſhall be divided by ſale or partition, the ſaid ſurveyor ſhall by entry and view of the ſaid land or dwelling-houſe, or by other lawful ways and means, inform himſelf of the relative value of the different parts of the original tract or lot, or dwelling-houſe ſo divided, and ſhall apportion the value of the entire tract or lot, or dwelling-houſe, as ſhall be juſt and equitable; and ſhall enter and record the ſame, in manner aforeſaid. And whenever, and ſo often as a new dwelling-houſe ſhall be erected and inhabited, after the firſt day of October next, or any dwelling-houſes or lands,

Their duty on ſale or diviſion of lands, &c.

on the erection of new dwelling houſes, &c. or the ceaſing of property to be

exempted from taxation, under the ſtate laws;

which at the time of making the ſaid valuation, ſhall be exempted from taxation by the laws of the ſtate where the ſame ſhall be ſituated, ſhall ceaſe to be ſo exempted, the ſaid ſurveyors ſhall and may, in their reſpective diſtricts, proceed to value and aſſeſs the ſame, in like manner, and on the principles herein before preſcribed, in reſpect to valuations of dwelling-houſes and lands, and ſhall add the ſame to the valuations to be made by aſſeſſors, as aforeſaid. And whenever, and ſo often as any dwelling-houſe ſhall be deſtroyed or damaged, by fire, or other accident, it ſhall be lawful for the ſurveyors to cancel the valuations thereon, if ſuch houſe be wholly deſtroyed; or if ſuch houſe be merely damaged or impaired, to reduce the valuation thereon, to ſuch ſum as ſhall be juſt and equitable: *Provided*, That no change of the valuation of any dwelling-houſe, ſhall be valid, until the ſame ſhall have been approved by the inſpector of the ſurvey, or the ſupervifor of the diſtrict, if comprehending but one ſurvey of inſpection.

and on a houſe being deſtroyed or damaged by accident.

Proviſo.

On receiving warrants, ſurveyors of the revenue ſhall enumerate ſlaves, report the number & value of houſes, &c.

Sec. 26. *And be it further enacted*, That it ſhall be the duty of the ſurveyors of the revenue, whenever they ſhall receive precepts or warrants for that purpoſe, from the inſpectors of ſurveys, or the ſupervifors of diſtricts comprehending but one ſurvey of inſpection, to enumerate any and all ſlaves in their reſpective diſtricts above the age of twelve and under the age of fifty years, except ſuch as from fixed infirmity, or bodily diſability, may be incapable of labor, as aforeſaid, and to report the number thereof, as alſo the number of houſes, with the valuations thereof, reſpectively, and the valuation of any and all lands, and alſo to compute and ſtate the taxes which may be due and payable by each and every individual; and

to deliver true and correct lists thereof, to the persons who may be appointed to receive the same.

They shall submit their books, &c. to inspection, and grant copies.

Sec. 27. *And be it further enacted*, That the said surveyors of the revenue shall, at all times, submit the inspection of their books and records, to the supervisors and inspectors of the internal revenues of the United States, or to any person authorized and deputed by the Secretary of the Treasury, for that purpose; and shall, moreover, grant and certify copies or transcripts therefrom, to any persons who shall apply for the same, and who shall previously tender or pay the fees hereafter allowed and established therefor.

Compensations—

Sec. 28. *And be it further enacted*, That the following compensations shall be allowed to the commissioners, clerks and assessors aforesaid, for services to be performed under this act.

To commissioners.

To each commissioner, one hundred and fifty dollars, in addition to an allowance of three dollars per diem, for each and every day, in going to, attending at, and returning from any general meeting of the said commissioners, or in visiting the several assessment districts, in pursuance of any resolution of the said commissioners.

To clerks.

To each clerk of the commissioners, a compensation for the time they may be employed, not exceeding the rate of five hundred dollars per annum.

To assistant assessors.

To each assessor, other than principal assessors, one dollar and fifty cents per diem, for every day employed in collecting lists; and also one dollar per diem for every day employed in arranging the said lists, and making the valuations and enumerations.

To principal assessors.

To each principal assessor, one dollar and fifty cents for every day employed in receiving

and arranging lists, and hearing appeals, and in recording the lists, valuations and enumerations aforesaid, and corresponding with commissioners: and in addition to the said allowances and compensations, the said commissioners and assessors shall be allowed their necessary and reasonable charges for books and stationary; and the accounts of the assessors shall be certified by, and presented to the commissioners, in the name of the principal assessor of each assessment district, who shall be responsible to the other assessors. And the accounts of the assessors and commissioners in each state, shall be presented at the treasury, for adjustment, in the name of some one of the commissioners, to be designated for that purpose, by the other commissioners, who shall distribute the sums payable to the principal assessors, aforesaid: *Provided*, That no allowance shall be made to the assessors, other than for the expense of books and stationary, until it shall be ascertained and certified to the satisfaction of the commissioners, that the services directed by this act, have been performed. And all letters or packets to or from any commissioner, appointed under this act, shall, within the limits of the state for which such commissioner is appointed, be conveyed by post, free of postage.

Charges for books and stationary.

How accounts are to be presented.

No allowance to be made to assessors until, &c.

Letters, &c. to and from commissioners free, &c.

Sec. 29. *And be it further enacted*, That the surveyors of the revenue shall be allowed the following compensations, for services to be performed under this act: For recording each and every transfer of the valuation of every entire tract of land, or dwelling-house, twelve and an half cents: For apportioning each and every valuation of a tract of land, lot or dwelling-house, and recording the same, in consequence of any division or partition thereof, fifty cents for every division of the original tract, lot or

Compensation to surveyors of the revenue.

dwelling-houſe: For viewing each and every dwelling-houſe, in conſequence of an application for the reduction of a valuation, and for recording the proceedings thereon, one dollar: For every official certificate, except ſuch as may be required by the treaſury department, or the ſupervifors, inſpectors or collectors of the revenue, twenty-five cents. And the compenſations aforeſaid ſhall be paid by the party or parties applying for ſuch reduction, record, exoneration, or apportionment.

Appropriation for the objects of the act.

Sec. 30. *And be it further enacted*, That for the purpoſe of defraying the expenſes incident to the valuations and enumerations directed by this act, there be appropriated the ſum of one hundred and fifty thouſand dollars, to be paid out of any monies in the Treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 9th, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXVIII.

An act to regulate and fix the compenſations of the officers employed in collecting the internal revenues of the United States, and to enſure more effectually the ſettlement of their accounts.

Allowances, in lieu of the former, to ſupervifors.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That in lieu of the compenſations now eſtabliſhed, there ſhall, from and after the firſt day of July, inſtant, be allowed, for the collection of the internal duties which have heretofore been impoſed by law, the reſpective compenſations following, *to wit:*

To the ſupervifor of the diſtrict of Virginia, an annual ſalary of one thouſand three hundred and fifty dollars.

To the ſupervifor of the diſtrict of Pennſylvania, an annual ſalary of one thouſand two hundred dollars.

To each of the ſupervifors of Maſſachuſetts, New-York, Maryland, North-Carolina, and South-Carolina, an annual ſalary of one thouſand dollars.

To each of the ſupervifors of Connecticut and Ohio, an annual ſalary of ſeven hundred dollars.

To each of the ſupervifors of Rhode-Iſland and New-Jerſey, an annual ſalary of ſix hundred dollars.

To each of the ſupervifors of New-Hampſhire, Vermont, Delaware, Tenneſſee and Georgia, an annual ſalary of five hundred dollars.

Allowance for clerk hire.

Sec. 2. *And be it further enacted*, That the following ſums ſhall be allowed to the ſupervifors for clerk hire, in their reſpective offices, *to wit:*

To the ſupervifors of Maſſachuſetts, New-York, Pennſylvania, Maryland, Virginia, North Carolina and South Carolina, eight hundred dollars per annum, each.

To the ſupervifors of New-Hampſhire, Rhode Iſland, Connecticut, New-Jerſey, and Georgia, four hundred dollars per annum, each.

To the ſupervifors of Vermont, Delaware, Ohio and Tenneſſee, three hundred dollars per annum, each.

Commiſſions allowed to the ſupervifors.

Sec. 3. *And be it further enacted*, That the ſupervifors ſhall, ſeverally, be allowed, in addition to the ſalaries aforeſaid, the ſame commiſſions on the product of all the internal duties heretofore impoſed and collected in their reſpective diſtricts, as have been heretofore

allowed under the authority of the Preſident of the United States.

Annual ſalary to inſpectors of ſurveys.

Sec. 4. *And be it further enacted*, That the inſpectors of ſurveys now eſtabliſhed under the authority of the Preſident of the United States, in the ſeveral diſtricts, not being alſo ſupervi-ſors, ſhall each be allowed an annual ſalary of five hundred dollars.

Allowance to inſpectors for clerk-hire.

Sec. 5. *And be it further enacted*, That each of the inſpectors, not being alſo a ſupervi-ſor, ſhall, in addition to the ſalary aforeſaid, and to the commiſſions heretofore allowed to them by the Preſident of the United States, be allowed two hundred dollars per annum for clerk-hire in their reſpective offices.

Commiſſions to collectors.

Sec. 6. *And be it further enacted*, That the collectors of the revenue ſhall be allowed a commiſſion of ſix per centum on the product of all the internal duties heretofore impoſed, and by them reſpectively received; except that in the diſtricts of Maſſachuſetts and Rhode-Iſland, a commiſſion of four per centum, only, ſhall be allowed to the ſaid collectors, upon the amount of duties ariſing from ſpirits diſtilled from foreign materials.

Annual ſalaries to collectors and auxiliary officers.

Sec. 7. *And be it further enacted*, That it ſhall be lawful for the ſupervi-ſors of diſtricts, to apportion and allow to ſuch of the collectors of the revenue and auxiliary officers, as, for the execution of the public ſervice, it ſhall appear to them really neceſſary ſo to compenſate, yearly ſalaries, not exceeding the medium rate of eighty dollars to the collectors of the revenue actually employed, nor exceeding the medium rate of thirty dollars to the auxiliary officers actually employed, nor exceeding the ſums following, in the reſpective diſtricts, *to wit:* In New-Hampſhire, four hundred and twenty dollars; in Maſſachuſetts, one thouſand four hun-

dred and ſixty dollars; in Rhode-Iſland, two hundred and fifty dollars; in Connecticut, ſix hundred dollars; in Vermont, four hundred and twenty dollars; in New-York, one thouſand and ninety dollars; in New-Jerſey, eight hundred and twenty dollars; in Pennſylvania, one thouſand ſix hundred and ten dollars; in Delaware, three hundred and thirty dollars; in Maryland, one thouſand five hundred dollars; in Virginia, four thouſand ſix hundred and fifty dollars; in Ohio, ſeven hundred and ninety dollars; in Tenneſſee, three hundred and thirty dollars; in North-Carolina, two thouſand ſeven hundred and eighty dollars; in South-Carolina, two thouſand three hundred and forty dollars; and in Georgia, ſix hundred and ſixty dollars.

Other allowances to ſupervifors, inſpectors, &c.

Sec. 8. *And be it further enacted*, That the ſupervifors ſhall be allowed, for preparing, ſtamping and diſtributing among the inſpectors, one cent for every certificate to accompany foreign or domeſtic ſpirits, wines or teas, actually iſſued in the ſurveys and ports of their reſpective diſtricts; that the inſpectors of ſurveys, and ſuch of the ſupervifors as perform the ſame duties, ſhall be allowed two cents and one half for each certificate ſigned by them and iſſued to accompany domeſtic diſtilled ſpirits, and one cent for each certificate ſigned by them, and iſſued to accompany foreign diſtilled ſpirits; that the inſpectors of the revenue for ports, ſhall be allowed one cent and one half, for every certificate iſſued in their ports, reſpectively to accompany foreign diſtilled ſpirits, and two cents and one half, for every certificate to accompany wines or teas; and to the deputies of ſuch inſpectors, the ſum of two cents and one half for every caſk or package of foreign diſtilled ſpirits, wines or teas, by them marked according to law, and returned to their reſpective principals; and for

gauging wines, whereon the duties are payable according to the value thereof, ſix cents for every caſk actually gauged; and that the collectors of the revenue ſhall be allowed for meaſuring and marking, according to law, each ſtill under the capacity of one hundred gallons, ſixty cents, and for each ſtill of the capacity of one hundred gallons, or more, ſeventy-five cents, and for marking each caſk of domeſtic diſtilled ſpirits, and for iſſuing and counterſigning a certificate to accompany the ſame, two and one half cents, and for every caſk which they reſpectively gauge or cauſe to be gauged, ſix cents.

Fee to collectors under the act laying duties on carriages.

Sec. 9. *And be it further enacted*, That it ſhall be lawful, this act notwithſtanding, for the collectors of the revenue to demand of individuals the fee or extra compenſation authorized by the ſeventh ſection of the act paſſed on the twenty-eighth day of May, one thouſand ſeven hundred and ninety-ſix, intituled, "An act laying duties upon carriages for the conveyance of perſons; and repealing the former act for that purpoſe;" in the manner and on the conditions thereby preſcribed.

Officers employed in the collection of the internal revenues to keep accounts of their emoluments, &c.

Sec. 10. *And be it further enacted*, That from and after the firſt day of July, inſtant, it ſhall be the duty of the ſeveral officers employed or to be employed in collecting the internal revenues of the United States, to keep accurate accounts of their official emoluments and expenditures, and the ſame to tranſmit annually, on the laſt day of December, to the commiſſioner of the revenue; abſtracts of which accounts ſhall, annually, be laid before Congreſs, by the Secretary of the Treaſury.

Allowance for books, printing, &c.

Sec. 11. *And be it further enacted*, That the neceſſary expenſes of procuring books, ſtationary, printed forms, certificates, and other documents, neceſſary for the collection of the internal revenues, ſhall and may be allowed to the

ſuperviſors, inſpectors and collectors of the revenue, in the ſettlement of their accounts. And all letters and packets to and from the ſaid ſuperviſors and inſpectors of the revenue, on buſineſs of their reſpective offices, ſhall be received and conveyed by poſt, free of poſtage.

Free letters.

Sec. 12. *And be it further enacted*, That the ſuperviſors of diſtricts, inſpectors of ſurveys, and collectors of the revenue, ſhall, within three months after being thereto required, give bonds, with ſureties, for the true and faithful execution of their reſpective offices, and ſettlement of their accounts, according to law, in manner following, *to wit:* The ſuperviſors of Maſſachuſetts, New-York, Pennſylvania, and Virginia, in the ſum of twenty-five thouſand dollars each; the ſuperviſors of New-Hampſhire, Rhode-Iſland, Connecticut, New-Jerſey, Maryland, North-Carolina, and South-Carolina, in the ſum of fifteen thouſand dollars, each; and the ſuperviſors of Vermont, Delaware, Ohio, Tenneſſee and Georgia, in the ſum of ten thouſand dollars, each; and the inſpectors of the ſeveral ſurveys, in the ſum of ten thouſand dollars, each; which bonds ſhall be ſeverally approved by the Comptroller of the Treaſury, and ſhall be filed in his office, to be by him put in ſuit for the benefit of the United States, upon any breach of the conditions thereof; and the collectors of the revenue ſhall ſeverally give like bonds, with ſureties, in a ſum not leſs than three thouſand dollars; which bonds ſhall be approved by the ſuperviſors of the reſpective diſtricts, and ſhall be filed in their offices to be by them put in ſuit, upon any breach of the conditions thereof.

Superviſors, inſpectors & collectors to give bond.

Sec. 13. *And be it further enacted*, That all ſuits on bonds taken in purſuance of this act, ſhall be inſtituted and determined in the man-

Suits on ſuch bonds how to be

ner prescribed by the act, passed on the third day of March, one thousand seven hundred and ninety-seven, intituled "An act to provide more effectually for the settlement of accounts between the United States, and receivers of public money;" and in all suits instituted against an inspector of any survey, or collector of the revenue, transcripts from the books of the supervisor of the proper district, or copies of any papers or other documents relating to the accounts of such inspector or collector, duly authenticated, under the seal of the said supervisor, shall have equal validity, and be entitled to the same credit which would be due to the original papers, if produced in open court; subject nevertheless to the condition mentioned in the second section of the act above recited.

instituted and determined.

What shall be evidence.

Sec. 14. *And be it further enacted*, That the bond of any supervisor or other officer of the revenue, who shall neglect or refuse, for more than six months, to make up, and render to the proper officer, his accounts of all duties collected or secured, pursuant to such forms and regulations as have been, or shall be prescribed, according to law, or to verify such accounts on oath or affirmation, if thereto required, or to pay over the monies which shall have been collected, shall be deemed forfeited, and judgment thereon shall and may be taken at the return term, on motion, to be made in open court, by the attorney of the United States, unless sufficient cause to the contrary be shewn to, and allowed by the court: *Provided always*, That the writ or process, in such case, shall have been executed at least fourteen days before the return day thereof.

When the bonds of supervisors, &c. shall be forfeited:

Judgment thereon at the returnterm.

Sec. 15. *And be it further enacted*, That the amount of all debts due to the United States,

Lien upon the real

eſtate of officers of the revenue for debts due to the U. States.

by any ſupervifor or other officer of the revenue, whether ſecured by bond or otherwiſe, ſhall, and hereby is declared to be a lien upon the lands and real eſtate of ſuch ſupervifor or other officer of the revenue, and their ſureties, from the time when a ſuit ſhall be inſtituted for recovering the ſame; and for want of goods and chattels, or other perſonal effects of ſuch ſupervifor, or other officer of the revenue, or their ſureties, to ſatisfy any judgment which ſhall or may be recovered againſt them, reſpectively, ſuch lands and real eſtates may be ſold at public auction, after being advertiſed for at leaſt three weeks, in not leſs than three public places in the proper diſtrict, ſurvey or diviſion, and in one newſpaper printed in the county, if any there be, at leaſt ſix weeks prior to the propoſed time of ſale; and for all lands and real eſtate ſold in purſuance of the authority aforeſaid, the conveyances of the marſhals, or their deputies, executed in due form of law, ſhall afford a valid title againſt all perſons claiming under ſuch ſupervifor, or other officer of the revenue, or their ſureties, reſpectively.

Mode of ſale of their real eſtate.

Sec. 16. *And be it further enacted*, That from and after the ſaid firſt day of July, inſtant, ſo much of any law or laws as authorizes the Preſident of the United States, to fix or vary the compenſation of the officers employed in the collection of the internal revenues, or limits the yearly ſums to be allowed to them, be, and the ſame is hereby repealed.

Repeal of laws authorizing the Preſident to fix or vary the compenſations, &c.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 11, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER LXXXIX.

An Act for the eſtabliſhing and organizing a Marine Corps.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That in addition to the preſent military eſtabliſhment, there ſhall be raiſed and organized a corps of marines, which ſhall conſiſt of one major, four captains, ſixteen firſt lieutenants, twelve ſecond lieutenants, forty-eight ſerjeants, forty-eight corporals, thirty-two drums and fifes, and ſeven hundred and twenty privates, including the marines who have been enliſted, or are authorized to be raiſed for the naval armament; and the ſaid corps may be formed into as many companies or detachments, as the Preſident of the United States ſhall direct, with a proper diſtribution of the commiſſioned and non-commiſſioned officers and muſicians to each company or detachment.

A corps of marines to be raiſed.

Formation of it.

Sec. 2. *And be it further enacted*, That the pay and ſubſiſtence of the ſaid officers, privates and muſicians, ſhall be as follows, to wit: To a major, fifty dollars per month, and four rations per day; to a captain, forty dollars per month, and three rations per day; to a firſt lieutenant, thirty dollars per month, and three rations per day; to a ſecond lieutenant, twenty-five dollars per month, and two rations per day; and to the non-commiſſioned officers, privates and muſicians, conformably to the act, intituled, "An act providing a naval armament," as ſhall be fixed by the Preſident of the United States: And the Preſident of the United States ſhall be, and is hereby authorized to continue the inliſtment of marines, until the ſaid corps ſhall be compleat; and of himſelf, to appoint the commiſſioned officers, whenever, in the receſs of the Senate, an appointment ſhall be neceſſary.

Pay and ſubſiſtence.

Preſident may commiſſion officers in the receſs.

Inliſtments for three years, &c.

And the inliſtments, which ſhall be made by virtue hereof, may be for the term of three years, ſubject to be diſcharged by the Preſident of the United States, or by the ceaſing or repeal of the laws providing for the naval armament. And if the marine corps, or any part of it, ſhall be ordered by the Preſident to do duty on ſhore, and it ſhall become neceſſary to appoint an adjutant, paymaſter, quarter-maſter, ſerjeant-major, quarter-maſter-ſerjeant, and drum and fife-major, or any of them, the major or commandant of the corps, is hereby authorized to appoint ſuch ſtaff-officer or officers, from the line of ſubalterns, ſerjeants and muſic, reſpectively, who ſhall be entitled, during the time they ſhall do ſuch duty, to the ſame extra pay and emoluments, which are allowed by law, to officers acting in the ſame capacities in the infantry.

If ordered to do duty on ſhore, ſtaff-officers how to be appointed.

Detachments of the corps to be in lieu of the quotas eſtabliſhed for the frigates, &c.

Sec. 3. *And be it further enacted*, That the detachments of the corps of marines hereby authorized, ſhall be made in lieu of the reſpective quotas of marines, which have been eſtabliſhed or authorized for the frigates, and other armed veſſels and gallies, which ſhall be employed in the ſervice of the United States: And the Preſident of the United States may detach and appoint ſuch of the officers of this marine corps, to act on board the frigates, and any of the armed veſſels of the United States, reſpectively, as he ſhall, from time to time, judge neceſſary; any thing in the act "providing a naval armament" to the contrary hereof, notwithſtanding.

They ſhall take an oath; and how they ſhall be governed.

Sec. 4. *And be it further enacted*, That the officers, non-commiſſioned officers, privates and muſicians aforeſaid, ſhall take the ſame oath, and ſhall be governed by the ſame rules and articles of war, as are preſcribed for the military eſtabliſhment of the United States, and by the

rules for the regulation of the navy, heretofore, or which ſhall be eſtabliſhed by law, according to the nature of the ſervice in which they ſhall be employed, and ſhall be entitled to the ſame allowance, in caſe of wounds or diſabilities, according to their reſpective ranks, as are granted by the act "to aſcertain and fix the military eſtabliſhment of the United States."

Allowance in caſe of wounds, &c.

Sec. 5. *And be it further enacted*, That the non-commiſſioned officers, muſicians, ſeamen and marines who are or ſhall be enliſted into the ſervice of the United States; and the non-commiſſioned officers and muſicians, who are or ſhall be enliſted into the army of the United States, ſhall be, and they are hereby exempted, during their term of ſervice, from all perſonal arreſts, for any debt or contract.

Exemption from arreſt for debts and contracts.

Sec. 6. *And be it further enacted*, That the marine corps, eſtabliſhed by this act, ſhall, at any time, be liable to do duty in the forts and garriſons of the United States, on the ſea coaſt, or any other duty on ſhore, as the Preſident, at his diſcretion, ſhall direct.

What duty they ſhall be ſubject to do.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 11, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XC.

An Act eſtabliſhing an annual ſalary for the Surveyor of the port of Glouceſter.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there be allowed to the ſurveyor of the port of Glouceſter, in the ſtate of Maſſachuſetts, the yearly ſalary of two hun-

dred and fifty dollars, to commence from the laſt day of March, in the year of our Lord one thouſand ſeven hundred and ninety-ſeven.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 14, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER XCI.

An Act in addition to the act, intituled "An act for the puniſhment of certain crimes againſt the United States."

Penalty on unlawful combinations to oppoſe the meaſures of government, &c.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That if any perſons ſhall unlawfully combine or conſpire together, with intent to oppoſe any meaſure or meaſures of the government of the United States, which are or ſhall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any perſon holding a place or office in or under the government of the United States, from undertaking, performing or executing his truſt or duty; and if any perſon or perſons, with intent as aforeſaid, ſhall counſel, adviſe or attempt to procure any inſurrection, riot, unlawful aſſembly, or combination, whether ſuch conſpiracy, threatening, counſel, advice, or attempt ſhall have the propoſed effect or not, he or they ſhall be deemed guilty of a high miſdemeanor, and on conviction, before any court of the United States having juriſdiction thereof, ſhall be puniſhed by a fine not exceeding five thouſand dollars, and by impriſonment during a term not leſs than ſix months nor exceeding five years; and

And with ſuch intent counſelling, &c. inſurrections, riots, &c.

further, at the diſcretion of the court, may be holden to find ſureties for his good behaviour in ſuch ſum, and for ſuch time, as the ſaid court may direct.

Penalty on libelling the government.

Sec. 2. *And be it further enacted*, That if any perſon ſhall write, print, utter or publiſh, or ſhall cauſe or procure to be written, printed, uttered or publiſhing, or ſhall knowingly and willingly aſſiſt or aid in writing, printing, uttering or publiſhing any falſe, ſcandalous and malicious writing or writings againſt the government of the United States, or either houſe of the Congreſs of the United States, or the Preſident of the United States, with intent to defame the ſaid government, or either houſe of the ſaid Congreſs, or the ſaid Preſident, or to bring them, or either of them, into contempt or diſrepute; or to excite againſt them, or either or any of them, the hatred of the good people of the United States, or to ſtir up ſedition within the United States; or to excite any unlawful combinations therein, for oppoſing or reſiſting any law of the United States, or any act of the Preſident of the United States, done in purſuance of any ſuch law, or of the powers in him veſted by the conſtitution of the United States; or to reſiſt, oppoſe, or defeat any ſuch law or act; or to aid, encourage or abet any hoſtile deſigns of any foreign nation againſt the United States, their people or government, then ſuch perſon, being thereof convicted before any court of the United States having juriſdiction thereof, ſhall be puniſhed by a fine not exceeding two thouſand dollars, and by impriſonment not exceeding two years.

Truth of the matter may be given in evidence.

Sec. 3. *And be it further enacted, and declared*, That if any perſon ſhall be proſecuted under this act, for the writing or publiſhing any libel aforeſaid, it ſhall be lawful for the defendant, upon the trial of the cauſe, to give in evidence

The jury shall determine the law & the fact, under the court's direction.

in his defence, the truth of the matter contained in the publication charged as a libel. And the jury who shall try the cause, shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

Limitation.

Sec. 4. *And be it further enacted*, That this act shall continue and be in force until the third day of March, one thousand eight hundred and one, and no longer: *Provided*, That the expiration of the act shall not prevent or defeat a prosecution and punishment of any offence against the law, during the time it shall be in force.

JONATHAN DAYTON, *Speaker of the House of Representatives.*
THEODORE SEDGWICK, *President of the Senate, pro tempore.*

APPROVED, July 14, 1798:
JOHN ADAMS,
President of the United States.

CHAPTER XCII.

An Act to lay and collect a direct tax within the United States.

A direct tax of two millions laid.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That a direct tax of two millions of dollars shall be, and hereby is laid upon the United States, and apportioned to the states respectively, in the manner following:

Apportionment.

To the state of New-Hampshire, seventy-seven thousand, seven hundred and five dollars, thirty six cents, and two mills.

To the state of Massachusetts, two hundred and sixty thousand, four hundred and thirty-five dollars, thirty-one cents, and two mills.

To the state of Rhode-Island, thirty-seven thousand, five hundred and two dollars, and eight cents.

To the ſtate of Connecticut, one hundred and twenty-nine thouſand, ſeven hundred and ſixty-ſeven dollars, and two mills. Apportionment.

To the ſtate of Vermont, forty-ſix thouſand, eight hundred and ſixty-four dollars, eighteen cents, and ſeven mills.

To the ſtate of New-York, one hundred and eighty-one thouſand, ſix hundred and eighty dollars, ſeventy cents, and ſeven mills.

To the ſtate of New-Jerſey, ninety-eight thouſand, three hundred and eighty-ſeven dollars, twenty-five cents, and three mills.

To the ſtate of Pennſylvania, two hundred and thirty-ſeven thouſand, one hundred and ſeventy-ſeven dollars, ſeventy-two cents, and ſeven mills.

To the ſtate of Delaware, thirty thouſand, four hundred and thirty dollars, ſeventy-nine cents, and two mills.

To the ſtate of Maryland, one hundred and fifty-two thouſand, five hundred and ninety-nine dollars, ninety-five cents, and four mills.

To the ſtate of Virginia, three hundred and forty-five thouſand, four hundred and eighty-eight dollars, ſixty-ſix cents, and five mills.

To the ſtate of Kentucky, thirty-ſeven thouſand, ſix hundred and forty-three dollars, ninety-nine cents, and ſeven mills.

To the ſtate of North-Carolina, one hundred and ninety-three thouſand, ſix hundred and ninety-ſeven dollars, ninety-ſix cents, and five mills.

To the ſtate of Tenneſſee, eighteen thouſand; eight hundred and ſix dollars, thirty-eight cents, and three mills.

To the ſtate of South-Carolina, one hundred and twelve thouſand, nine hundred and ninety-ſeven dollars, ſeventy-three cents, and nine mills.

And to the ſtate of Georgia, thirty-eight thouſand eight hundred and fourteen dollars, eighty-ſeven cents, and five mills.

How it ſhall be collected.

Sec. 2. *And be it further enacted*, That the ſaid tax ſhall be collected by the ſupervifors, inſpectors and collectors of the internal revenues of the United States, under the direction of the Secretary of the Treaſury, and purſuant to ſuch regulations as he ſhall eſtabliſh; and

It ſhall be aſſeſſed on dwelling-houſes, lands and ſlaves:

ſhall be aſſeſſed upon dwelling-houſes, lands and ſlaves, according to the valuations and enumerations, to be made purſuant to the act, intituled "An act to provide for the valuation of lands and dwelling houſes, and the enumeration of ſlaves within the United States," and in the following manner:

At what rate upon dwelling-houſes:

Upon every dwelling-houſe which, with the out-houſes appurtenant thereto, and the lot whereon the ſame are erected, not exceeding two acres in any caſe, ſhall be valued in manner aforeſaid, at more than one hundred, and not more than five hundred dollars, there ſhall be aſſeſſed in the manner herein provided, a ſum equal to two-tenths of one per centum on the amount of the valuation: upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than five hundred, and not more than one thouſand dollars, there ſhall be aſſeſſed a ſum equal to three-tenths of one per centum on the amount of the valuation: upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than one thouſand, and not more than three thouſand dollars, there ſhall be aſſeſſed a ſum equal to four-tenths of one per centum on the amount of the valuation: upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than three thouſand, and not more than ſix thouſand dollars, there ſhall be aſſeſſed a ſum equal to one-half of one per centum on the amount of the valuation: upon every dwelling-

houſe which ſhall be valued as aforeſaid, at more than ſix, and not more than ten thouſand dollars, there ſhall be aſſeſſed a ſum equal to ſix-tenths of one per centum on the amount of the valuation: upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than ten, and not more than fifteen thouſand dollars, there ſhall be aſſeſſed a ſum equal to ſeven-tenths of one per centum on the amount of the valuation: upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than fifteen, and not more than twenty thouſand dollars, there ſhall be aſſeſſed a ſum equal to eight-tenths of one per centum on the amount of the valuation: upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than twenty, and not more than thirty thouſand dollars, there ſhall be aſſeſſed a ſum equal to nine-tenths of one per centum on the amount of the valuation; and upon every dwelling-houſe which ſhall be valued as aforeſaid, at more than thirty thouſand dollars, there ſhall be aſſeſſed a ſum equal to one per centum on the amount of the valuation.

At what rate upon ſlaves;

And upon every ſlave which ſhall be enumerated according to the act aforeſaid, there ſhall be aſſeſſed fifty cents.

and the reſidue of the apportionment ſhall be aſſeſſed upon lands.

And the whole amount of the ſums ſo to be aſſeſſed upon dwelling-houſes and ſlaves within each ſtate reſpectively, ſhall be deducted from the ſum hereby apportioned to ſuch ſtate, and the remainder of the ſaid ſum ſhall be aſſeſſed upon the lands within ſuch ſtate according to the valuations to be made purſuant to the act aforeſaid, and at ſuch rate per centum as will be ſufficient to produce the ſaid remainder: *Provided*, That no part of ſaid tax ſhall be aſſeſſed upon ſuch lands or dwelling-houſes and ſlaves as at the time of paſſing this act are eſpecially exempted from taxes by the laws of the ſtates, reſpectively.

Saving of lands and houſes exempted by the laws of the ſtates.

Assessments to be made by the supervisors.

Sec. 3. *And be it further enacted*, That the aforesaid assessments shall be made by the supervisors of the several districts within the United States respectively, and pursuant to instructions from the Secretary of the Treasury; which instructions the said Secretary shall be, and hereby is authorized and required to issue to such supervisors or any of them, so soon as the valuations and enumerations directed to be made by the aforesaid act shall have been completed in the state to which such supervisor belongs. And the said tax shall become due and payable from and after the expiration of three months after the instructions aforesaid shall have been received by the supervisors respectively: *Provided*, That if, on making the assessments as aforesaid, it should appear that the sums so to be assessed on houses and slaves within any state will exceed the sum hereby apportioned to such state, then the supervisor shall be, and hereby is authorized and required to deduct from the sums so to be assessed on houses, such rate per centum as shall be sufficient to reduce the whole amount of the said assessments, to the sum apportioned to such state, as aforesaid.

When the tax shall become due.

What is to be done, if assessments on houses and slaves exceed the apportionment.

Supervisors shall appoint collectors.

Sec. 4. *And be it further enacted*, That the said supervisors shall be, and hereby are authorized and required to appoint such and so many suitable persons in each assessment district within their respective districts, as may be necessary for collecting the said tax, and shall assign to them, respectively, their collection districts therein; which persons shall be collectors within their respective collection districts, and shall collect the said tax under the direction of the supervisors respectively, and according to the regulations and provisions contained in this act, or to be established pursuant thereto.

Sec. 5. *And be it further enacted*, That so soon as the aforesaid assessment shall have been

completed, the ſaid ſupervisors ſhall, by ſpecial warrants, under their hands, reſpectively, cauſe the ſurveyors of the revenue within their reſpective diſtricts, to make out liſts containing the ſums payable, according to ſuch aſſeſſments, for every dwelling-houſe, tract or lot of land, and ſlave, within each collection diſtrict, reſpectively; which liſts ſhall contain the name of the proprietor or occupant of each dwelling-houſe, tract or lot of land and ſlave, within the collection diſtrict, or of the perſon having the care or ſuperintendance of them, or any of them, where ſuch proprietor, occupant or ſuperintendant is known, and the whole ſum payable by each perſon within the ſaid diſtrict, diſtinguiſhing what is payable for dwelling-houſes, what for ſlaves, and what for lands: And where there are lands, ſlaves or dwelling-houſes within any collection diſtrict, not owned, or occupied by, or under the care or ſuperintendance of any perſon reſident therein, there ſhall be a ſeparate liſt of ſuch lands, dwelling-houſes and ſlaves, ſpecifying the ſums payable for each, and the names of the proprietors or ſuperintendants, reſpectively, where known.

Surveyor of the revenue to make out liſts of taxes.

Sec. 6. *And be it further enacted*, That each of the collectors, to be appointed as aforeſaid, ſhall be furniſhed by the ſurveyor of the revenue for the aſſeſſment diſtrict within which he ſhall have been ſo appointed, with one or more of the ſaid liſts, ſigned and certified by ſuch ſurveyor. And each collector, on receiving a liſt as aforeſaid, ſhall ſubſcribe three receipts; one of which ſhall be given on a full and correct copy of ſuch liſt, and the other two on aggregate ſtatements thereof, exhibiting the number and valuation of dwelling-houſes, the number of ſlaves, and the amount of the valuation of lands in ſuch collection diſtrict, with

Collectors to be furniſhed with liſts.

the amount of the taxes aſſeſſed thereon. And the liſt firſt mentioned, and receipt, ſhall remain in the office of the ſurveyor of the revenue, and ſhall be open to the inſpection of any perſon who may apply to inſpect the ſame; and the aggregate ſtatements and receipts aforeſaid, ſhall be tranſmitted to the inſpector of the ſurvey, and one of them ſhall be by him tranſmitted to the ſupervifor of the diſtrict.

Collectors to give bond.

Sec. 7. *And be it further enacted*, That each collector, before receiving any liſt as aforeſaid, for collection, ſhall give bond, with one or more good and ſufficient ſureties, in at leaſt double the amount of the taxes aſſeſſed on the collection diſtrict for which he may be appointed; which bond ſhall be payable to the United States, with condition for the true and faithful diſcharge of the duties of his office, according to law, and particularly, for the due collection and payment of all monies aſſeſſed upon ſuch diſtrict.

Tax to be a lien upon the land, &c.

Sec. 8. *And be it further enacted*, That the aforeſaid tax ſhall be, and remain a lien upon all lands, and other real eſtate, and all ſlaves, of the individuals who may be aſſeſſed for the ſame, during two years after the time when it ſhall become due and payable according to this act; and the ſaid lien ſhall extend to each and every part of all tracts or lots of land, or dwelling-houſes, which ſhall be valued according to the aforeſaid act, notwithſtanding the ſame may have been divided or alienated, in part, unleſs an apportionment of the valuation thereof ſhall have been made and recorded, purſuant to the aforeſaid act, prior to the time when the collection liſts ſhall have been ſtated, in manner herein before preſcribed.

Sec. 9. *And be it further enacted*, That each of the ſaid collectors ſhall, immediately after

receiving his collection liſt, advertiſe, by notifications, to be poſted up in at leaſt four public places in each collection diſtrict, that the ſaid tax has become due and payable and the times and places at which he will attend to receive the ſame; and, in reſpect to perſons who ſhall not attend, according to ſuch notifications, it ſhall be the duty of each collector to apply once at their reſpective dwellings, within ſuch diſtrict, and there demand the taxes payable by ſuch perſons; and if the ſaid taxes ſhall not be then paid, or within twenty days thereafter, it ſhall be lawful for ſuch collector to proceed to collect the ſaid taxes, by diſtreſs and ſale of the goods, chattels or effects of the perſons delinquent as aforeſaid, with a commiſſion of eight per centum upon the ſaid taxes, to and for the uſe of ſuch collector: *Provided*, that it ſhall not be lawful to make diſtreſs of the tools or implements of a trade or profeſſion, beaſts of the plough neceſſary for the cultivation of improved lands, arms, or the houſehold utenſils, or apparel neceſſary for a family.

How the collectors ſhall demand and enforce payment.

Sec. 10. *And be it further enacted*, That except, as aforeſaid, all goods, chattels, and perſonal effects whatever, being or remaining on lands, ſubject to the ſaid tax; and all graſs, or produce of farms, ſtanding and growing thereon, ſhall and may be taken and ſold for the payment of the ſaid tax, under ſuch regulations as have been or may be made for the ſale of goods or effects taken and ſold by diſtreſs: *Provided*, that nothing herein contained ſhall invalidate or impair any contract or agreement between any landlord, tenant, or other perſon, relative to the payment of taxes.

Sec. 11. *And be it further enacted*, That in reſpect to lands, dwelling-houſes and ſlaves, which ſhall not be owned by, or in the occupa-

Proviſion for the caſe

where lands, &c. are not poſſeſſed by a perſon in the collection diſtrict.

tion, or under the care or ſuperintendance of ſome perſon within the collection diſtrict where the ſame ſhall be ſituated or found at the time of the aſſeſſment aforeſaid, the ſaid collectors reſpectively, upon receiving liſts of ſuch lands, dwelling-houſes, or ſlaves, in manner aforeſaid, ſhall tranſmit copies of ſuch liſts, certified under their hands reſpectively, to the ſurveyors of the revenue for the aſſeſſment diſtricts, reſpectively within which the perſons owning, or having the care and ſuperintendance of ſuch dwellings-houſes, lands, or ſlaves, may reſide, if ſuch perſons be known, together with a ſtatement of the amount of taxes aſſeſſed as aforeſaid upon ſuch dwelling-houſes, lands or ſlaves, reſpectively, and a notification to pay, or cauſe to be paid the ſaid taxes to the ſaid collectors reſpectively, within thirty days after ſuch notification ſhall be ſerved as is herein provided; which copies, ſtatements and notifications the ſurveyors receiving the ſame reſpectively ſhall cauſe to be perſonally ſerved on the aforeſaid perſons reſpectively, or left at their uſual places of abode; and ſhall cauſe an affidavit thereof, by the perſon ſerving or leaving the ſame as aforeſaid, with the time of ſuch ſervice or leaving, to be immediately tranſmitted to the aforeſaid collector: and if ſuch perſons being notified in manner aforeſaid, ſhall not, within ſixty days thereafter, pay the ſaid taxes to the collector of the collection diſtrict where the ſaid lands, dwelling-houſes, or ſlaves, ſhall be ſituated, or tranſmit to him a receipt for the ſaid taxes in the manner herein provided, then the ſaid collector ſhall proceed to collect the ſaid tax, by diſtreſs and ſale as is herein directed: and if the perſons owning or having the care and ſuperintendance of any ſuch lands, dwelling-houſes or ſlaves, ſhall not be known, then the aforeſaid collectors ſhall

cauſe the ſaid copies, ſtatements and notifications to be publiſhed for ſixty days in four Gazettes of the ſtate, if there be ſo many; after which publication, if the ſaid taxes ſhall not be paid, the ſaid collectors ſhall proceed to collect the ſame by diſtreſs and ſale in the manner herein provided.

Taxes may be paid in the diſtrict where the poſſeſſor reſides.

Sec. 12. *Provided always, and be it further enacted*, That if any perſon owning, or having the ſuperintendance or care of any dwelling-houſes, lands or ſlaves, in a collection diſtrict other than that in which he reſides, and being ſerved with ſuch copy, ſtatement and notification as is aforeſaid, ſhall, within ſixty days thereafter, pay the ſaid taxes to the collector of the collection diſtrict within which he reſides, and tranſmit a receipt therefor to the collector ſending the ſaid copy, ſtatement and notification, ſuch receipt ſhall be a diſcharge to the ſaid laſt mentioned collector for the ſaid taxes, and he ſhall thereupon forbear to collect them; and the collector giving ſuch receipt ſhall become chargeable with the ſaid taxes, and ſhall account therefor in the final ſettlement of the accounts of his collection.

Lands and houſes may be ſold for taxes remaining unpaid for one year.

Sec 13. *And be it further enacted*, That when any tax aſſeſſed on lands or houſes, ſhall have remained unpaid for the term of one year, the collector of the collection diſtrict within which ſuch land or houſes may be ſituated, having firſt adverti ſed the ſame for two months, in ſix different public places within the ſaid diſtrict, and in two Gazettes in the ſtate, if there be ſo many, one of which ſhall be the Gazette in which the laws of ſuch ſtate ſhall be publiſhed by authority if any ſuch there be, ſhall proceed to ſell at public ſale, and under the direction of the inſpector of the ſurvey, either the dwelling-houſe, or ſo much of the tract of land, (as the caſe

may be) as may be neceſſary to ſatisfy the taxes due thereon; together with coſts and charges, not exceeding at the rate of one per centum, for each and every month the ſaid tax ſhall have remained due and unpaid. *Provided*, that in all caſes, where any lands or tenements, ſhall be ſold as aforeſaid, the owner of the ſaid lands or tenements, his heirs, executors or adminiſtrators, ſhall have liberty to redeem the ſame at any time within two years, from the time of ſale, upon payment, or tender of payment, to the collector for the time being, for the uſe of the purchaſer, his heirs or aſſignees of the amount of the ſaid taxes, coſts and charges, with intereſt for the ſame, at the rate of twelve per cent. per annum; and upon payment or tender of payment as aforeſaid ſuch ſale ſhall be void. And no deed ſhall be given in purſuance of any ſuch ſale, until the time of redemption ſhall have expired.

But the owner may redeem within 2 years.

Sec. 14. *And be it further enacted*, That the ſuperviſors of the reſpective diſtricts, ſhall keep true and exact accounts of all taxes due and payable in each collection diſtrict, and ſhall charge the amount thereof to the collectors of ſuch diſtricts reſpectively: And the ſaid collectors ſhall, at the expiration of every month after they ſhall, reſpectively, commence their collections, in manner aforeſaid, render to the ſuperviſor of the diſtrict, or the inſpector of the ſurvey within which the ſaid collections ſhall, reſpectively, be made, a full and true account of the collections made by them, reſpectively, within the month, and pay over to the ſaid ſuperviſor or inſpector, the monies by them reſpectively collected within the ſaid term: And if any ſuch collector ſhall fail or neglect to account and pay over, as aforeſaid, at any of the periods above preſcribed, ſuch collector ſhall forfeit and pay three hundred dollars, to be re-

Superviſors to keep accounts of taxes due.

Collectors to account monthly.

covered to the uſe of the United States, with coſts of ſuit, in any court having competent juriſdiction: And where any monies ſhall have been paid, as aforeſaid, to the inſpector of a ſurvey, by any collector, the receipt of ſuch inſpector ſhall be allowed to ſuch collector, in the final ſettlement of his accounts with the ſupervisor of the diſtrict.

Collectors to complete their duty and payover the money in one year and one month.

Sec. 15. *And be it further enacted*, That each of the ſaid collectors ſhall complete the collection of all ſums aſſigned to him for collection, as aforeſaid, and ſhall account for, and pay over the ſame to the ſupervisor of the diſtrict, within one year and one month from and after the time when the ſaid tax ſhall have become due and payable, in manner aforeſaid; and if any collector ſhall fail ſo to collect, account and pay over, it ſhall be the duty of the ſupervisor of the diſtrict, and he is hereby authorized and required to iſſue a warrant of diſtreſs againſt ſuch delinquent collector and his ſureties, directed to the marſhal of the diſtrict, therein expreſſing the amount of the taxes impoſed on the diſtrict of ſuch collector, and the ſums, if any, which have been paid; and the ſaid marſhal ſhall himſelf, or by his deputy, immediately proceed to levy and collect the ſum which may remain due, by diſtreſs and ſale of the goods and chattels, or any perſonal effects of the delinquent collector: and for want of goods, chattels or effects, aforeſaid, ſufficient to ſatisfy the ſaid warrant, the ſame may be levied on the perſon of the collector, who may be committed to priſon, there to remain, until diſcharged in due courſe of law. And furthermore, notwithſtanding the commitment of the collector to priſon, as aforeſaid, or if he abſcond, and goods, chattels and effects cannot be found, ſufficient to ſatisfy the ſaid warrant, the ſaid marſhal, or his deputy, ſhall

How the payment ſhall be enforced.

and may proceed to levy and collect the ſum which may remain due, by diſtreſs and ſale of the goods and chattles, or any perſonal effects, of the ſurety or ſureties of the delinquent collector.

Lien upon the real eſtate of collectors.

Sec. 16. *And be it further enacted*, That the amount of the ſums committed to any collector, for collection as aforeſaid, ſhall, and the ſame are hereby declared to be a lien upon the lands and real eſtate of ſuch collector, and his ſureties, until the ſame ſhall be diſcharged, according to law; and for want of goods and chattels, or other perſonal effects of ſuch collector, or his ſureties, ſufficient to ſatisfy any warrant of diſtreſs iſſued purſuant to the preceding ſection of this act, the lands and real eſtate of ſuch collector, and his ſureties, or ſo much thereof as may be neceſſary for ſatisfying the ſaid warrant, after being adverti ſed for at leaſt three weeks, in not leſs than three public places in the collection diſtrict, and in one newſpaper printed in the county, if any there be, prior to the propoſed time of ſale, may and ſhall be ſold by the marſhal or his deputy; and for all lands and real eſtate ſold, in purſuance of the authority aforeſaid, the conveyances of the marſhals, or their deputies, executed in due form of law, ſhall afford a valid title againſt all perſons claiming under the delinquent collectors, or their ſureties, aforeſaid; and all monies that may remain of the proceeds of ſuch ſale, after ſatisfying the ſaid warrant of diſtreſs, and paying the reaſonable coſts and charges of ſale, ſhall be returned to the proprietor of the lands or real eſtate ſold as aforeſaid.

Collectors may be diſmiſſed by the ſupervi ſors.

Sec. 17. *And be it further enacted*, That it ſhall be lawful for the ſupervi ſors of the reſpective diſtricts, at any time, for good and ſufficient cauſe, to diſmiſs or diſcharge each or any col-

lector from office, and to commit the collection of any part of the ſaid tax remaining uncollected, to a new collector; and immediately upon ſuch diſmiſſion, and after a notification thereof, in at leaſt two public places in the collection diſtrict, by the ſupervisor or the ſurveyor of the revenue for the diſtrict, on his behalf, the powers of the collector ſo diſmiſſed, ſhall ceaſe and terminate; and if any collector ſo diſmiſſed, ſhall wilfully refuſe or neglect to ſurrender his collection liſt, and to render a true account of all monies collected, and to pay over the ſame, according to the directions of the ſupervisor, each and every ſuch collector ſhall forfeit and pay a ſum not exceeding four thouſand dollars, with coſts of ſuit, to be recovered to the uſe of the United States, in any court having competent juriſdiction: *Provided*, That nothing herein contained ſhall be conſtrued to impair the reſponſibility of any collector, or his ſureties, ariſing under the foregoing proviſions of this act.

Penalty on collectors guilty of extortion, &c.

Sec. 18. *And be it further enacted*, That each and every collector, who ſhall exerciſe, or be guilty of any extortion or oppreſſion, under colour of this act, or ſhall demand other or greater ſums than ſhall be authorized by law, ſhall be liable to pay a ſum not exceeding three hundred dollars; to be recovered by and for the uſe of the party injured, with coſts of ſuit, in any court having competent juriſdiction; and each and every collector ſhall, if required, give receipts for all ſums by them collected, and retained, in purſuance of this act.

They ſhall give receipts.

Compenſation for collection.

Sec. 19. *And be it further enacted*, That for collecting the ſaid tax, there ſhall be allowed and paid, the following ſums, and no more, to be retained by the ſeveral officers hereinafter mentioned, in the final ſettlement of their ac-

counts, reſpectively; that is to ſay: To each ſupervisor, one half per centum, on the whole amount of the monies by him received and accounted for, under and by virtue of this act; to every inſpector, one-fourth per centum, on the whole amount of the monies to be by him received and accounted for as aforeſaid; and to every collector, five per centum, on the whole amount of the monies by him to be received and accounted for, as aforeſaid: *Provided*, That no collector ſhall receive the ſaid allowance, for, or in reſpect to any ſum for which a warrant of diſtreſs ſhall have been iſſued by him; and *Provided alſo*, That no collector who ſhall refuſe or neglect to render, according to this act, any monthly account of monies by him received, as aforeſaid, or to pay over the ſame, as is hereby directed, ſhall be intitled to, or receive the ſaid allowance, upon all or any of the monies by him collected, within the month for which he ſhall ſo refuſe or neglect to account and pay over, as aforeſaid.

Sec. 20. *And be it further enacted*, That there ſhall be allowed to the ſurveyors of the revenue, reſpectively, to be paid by the ſupervisors, reſpectively, and exhibited in their accounts, as part of the charge of the ſaid collection, for preparing collection liſts, and computing the taxes payable for each individual, at the rate of one dollar for every hundred taxables contained in any ſuch liſt.

Separate accounts to be kept at the treaſury, of monies received by virtue of this act.

Sec. 21. *And be it further enacted*, That a ſeparate account ſhall be kept at the Treaſury of the United States of all monies to be collected and received by virtue of this act; diſtinguiſhing the ſeveral amounts received from dwelling-houſes, from ſlaves, and from lands, within each ſtate, and alſo diſtinguiſhing the amount received in each ſtate from each ſepa-

rate deſcription of dwelling houſes, paying the ſame rate per centum.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 14, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XCIII.

An Act to augment the army of the United States; and for other purpoſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That from and after the paſſing of this act, each regiment of infantry in the army of the United States ſhall conſiſt of one lieutenant-colonel commandant, two majors, one adjutant, one pay-maſter, one quarter-maſter, one ſurgeon, two ſurgeon's mates, ten captains, ten lieutenants, ten enſigns, one ſerjeant major, one quarter-maſter ſerjeant, two ſenior muſicians, forty ſerjeants, forty corporals, twenty muſicians, and ſix hundred privates; and that the ſeveral regiments of infantry now in the ſervice of the United States, be augmented accordingly: *Provided always,* That the Preſident of the United States may, in his diſcretion, appoint and diſtribute ſuch additional number of ſurgeon's mates, and for ſuch length of time, as the exigencies of the ſervice may require.

Augmentation of the regiments of infantry.

Surgeon's mates.

Sec. 2. *And be it further enacted,* That the Preſident of the United States be, and he hereby is authorized to raiſe, in addition to the preſent military eſtabliſhment, twelve regiments of infantry, and ſix troops of light dragoons, to be enliſted for and during the continuance of the

Additional 12 regiments of infantry & 6 troops of light

dragoons to be raiſed.

exiſting differences between the United States and the French Republic, unleſs ſooner diſcharged; and the ſaid ſix troops, together with the two troops of dragoons now in ſervice, ſhall be formed into a regiment, and there ſhall be appointed thereto one lieutenant-colonel commandant, two majors, one adjutant, one paymaſter, one quarter-maſter, one ſerjeant-major, and one quarter-maſter-ſerjeant, whoſe pay and emoluments, as well as thoſe of the cornets reſpectively, ſhall be the ſame as are by law allowed to officers of the ſame grades in the infantry.

Regiment of dragoons to be formed.

General and ſtaff officers.

Sec. 3. *And be it further enacted*, That there ſhall be two major-generals, with two aids-de-camp each; one inſpector general, with the rank, pay and emoluments of a major-general, and two aids-de-camp; three brigadier-generals, in addition to the preſent eſtabliſhment; two aſſiſtant inſpectors (who ſhall be taken from the line of the army;) one adjutant-general, with one or more aſſiſtant or aſſiſtants (to be taken from the line of the army;) and four chaplains.

Their pay and ſubſiſtence.

Sec. 4. *And be it further enacted*, That the major-generals reſpectively ſhall be entitled to one hundred and ſixty-ſix dollars monthly pay, with twenty dollars allowance for forage monthly, and for daily ſubſiſtence fifteen rations, or money in lieu thereof at the contract price; the adjutant-general ſhall be entitled to the rank, pay and emoluments of a brigadier-general; each chaplain to the pay and emoluments of a major; the aids-de-camp and aſſiſtant inſpectors ſhall each be entitled to twenty-four dollars monthly, in addition to their pay in the line, and to four rations of proviſions each for their daily ſubſiſtence; and whenever forage ſhall not be furniſhed by the public, to ten dollars per month in lieu thereof.

Sec. 5. *And be it further enacted*, That each non-commiſſioned officer, private and muſician, who ſhall hereafter be enliſted for the army of the United States, ſhall be able bodied, and of a ſize and age, ſuitable for the public ſervice, according to the directions, which the Preſident of the United States ſhall and may eſtabliſh, and ſhall be entitled to a bounty of twelve dollars; but the payment of four dollars thereof ſhall be deferred until he ſhall have joined the army: and each commiſſioned officer who ſhall be employed in the recruiting ſervice, ſhall be entitled to receive for each ſuch non-commiſſioned officer and private, and for each ſufficient muſician, duly inliſted and muſtered, the ſum of two dollars.

Soldiers to be able bodied, &c.

Bounty.

Allowance to recruiting officers.

Sec. 6. *And be it further enacted*, That the monthly pay of the non-commiſſioned officers, muſicians and privates in the army of the United States, from and after the firſt day of Auguſt next, ſhall be as follows: cadets, ten dollars, and two rations per day; ſerjeant-majors, and quarter-maſter ſerjeants, ten dollars; ſenior muſicians, eight dollars; ſerjeants, eight dollars; corporals, ſeven dollars; muſicians, ſix dollars; privates, five dollars; artificers to the infantry and artillery, and farriers and ſaddlers to the dragoons, ſhall be allowed each the monthly pay of ten dollars. That every non-commiſſioned officer, private and muſician ſhall receive daily the following rations of proviſions, to wit: one pound and a quarter of beef, or three quarters of a pound of pork, eighteen ounces of bread or flour, a gill of rum, brandy or whiſkey, and at the rate of two quarts of ſalt, four quarts of vinegar, four pounds of ſoap, and one pound and a half of candles to every hundred rations.

Pay of men.

Their ſubſiſtence.

Sec. 7. *And be it further enacted*, That the Preſident of the United States be, and he here-

The Preſident may

appoint 4 teachers of the arts & ſciences neceſſary for artilleriſts & engineers.

by is authorized to appoint a number, not exceeding four, teachers of the arts and ſciences neceſſary for the inſtruction of the artilleriſts and engineers, who ſhall be entitled to the monthly pay of fifty dollars, and two rations per day.

Troops to take an oath; & how they ſhall be governed.

Sec. 8. *And be it further enacted*, That the officers, non-commiſſioned officers, muſicians and privates raiſed by virtue of this act, ſhall take and ſubſcribe the oath or affirmation preſcribed by the law, intituled, "An act to aſcertain and fix the military eſtabliſhment of the United States," and they ſhall be governed by the rules and articles of war, which have been or may be eſtabliſhed by law, and ſhall be entitled to the legal emoluments in caſe of wounds or diſabilities received while in actual ſervice, and in the line of duty. And in receſs of Senate, the Preſident of the United States is hereby authorized to appoint all the regimental officers proper to be appointed under this act, and likewiſe to make appointments to fill any vacancies in the army, which may have happened during the preſent ſeſſion of the Senate.

The Preſident may make appointments in the receſs.

Inſpector of artillery to be appointed.

Sec. 9. *And be it further enacted*, That there ſhall be appointed an inſpector of the artillery, taken from the line of artilleriſts and engineers, who ſhall be allowed thirty dollars per month in addition to his pay in the line, and four rations of proviſions for his daily ſubſiſtence, and whenever forage ſhall not be furniſhed by the public he ſhall be allowed ten dollars per month inſtead thereof.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER XCIV.

An Act for the relief of ſick and diſabled ſeamen.

20 cents per month to be deducted from the wages of ſeamen, coming from a foreign voyage in a veſſel of the United States.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That from and after the firſt day of September next, the maſter or owner of every ſhip or veſſel of the United States, arriving from a foreign port into any port of the United States, ſhall, before ſuch ſhip or veſſel ſhall be admitted to an entry, render to the collector a true account of the number of ſeamen, that ſhall have been employed on board ſuch veſſel ſince ſhe was laſt entered at any port in the United States, and ſhall pay to the ſaid collector, at the rate of twenty cents per month for every ſeaman ſo employed; which ſum he is hereby authorized to retain out of the wages of ſuch ſeamen.

The ſame with reſpect to the coaſting trade.

Sec. 2. *And be it further enacted*, That from and after the firſt day of September next, no collector ſhall grant to any ſhip or veſſel whoſe enrolment or licence for carrying on the coaſting trade has expired, a new enrolment or licence before the maſter of ſuch ſhip or veſſel ſhall firſt render a true account to the collector, of the number of ſeamen, and the time they have ſeverally been employed on board ſuch ſhip or veſſel, during the continuance of the licence which has ſo expired, and pay to ſuch collector twenty cents per month for every month ſuch ſeamen have been ſeverally employed, as aforeſaid; which ſum the ſaid maſter is hereby authorized to retain out of the wages of ſuch ſeamen. And if any ſuch maſter ſhall render a falſe account of the number of men, and the length of time they have ſeverally been employed, as is herein required, he ſhall forfeit and pay one hundred dollars.

Penalty on the maſter rendering a falſe account of the ſame.

Collectors to make returns of the ſums received; which ſhall be expended in relieving ſick & diſabled ſeamen.

Sec. 3. *And be it further enacted*, That it ſhall be the duty of the ſeveral collectors to make a quarterly return of the ſums collected by them, reſpectively, by virtue this act, to the Secretary of the Treaſury; and the Preſident of the United States is hereby authorized, out of the ſame, to provide for the temporary relief and maintenance of ſick or diſabled ſeamen, in the hoſpitals or other proper inſtitutions now eſtabliſhed in the ſeveral ports of the United States, or, in ports where no ſuch inſtitutions exiſt, then in ſuch other manner as he ſhall direct: *Provided*, That the monies collected in any one diſtrict, ſhall be expended within the ſame.

Monies unexpended, and donations to be inveſted in ſtock.

Sec. 4. *And be it further enacted*, That if any ſurplus ſhall remain of the monies to be collected by virtue of this act, after defraying the expenſe of ſuch temporary relief and ſupport, that the ſame, together with ſuch private donations as may be made for that purpoſe (which the Preſident is hereby authorized to receive) ſhall be inveſted in the ſtock of the United States, under the direction of the Preſident; and when, in his opinion, a ſufficient fund ſhall be accumulated, he is hereby authorized to purchaſe or receive ceſſions or donations of ground or buildings, in the name of the United States, and to cauſe buildings, when neceſſary, to be erected as hoſpitals for the accommodation of ſick and diſabled ſeamen.

Proviſion for building marine hoſpitals.

Directors of the marine hoſpitals to be appointed.

Sec. 5. *And be it further enacted*, That the Preſident of the United States be, and he is hereby authorized to nominate and appoint, in ſuch ports of the United States, as he may think proper, one or more perſons, to be called directors of the marine hoſpital of the United States, whoſe duty it ſhall be to direct the expenditure of the fund aſſigned for their reſpective ports,

according to the third ſection of this act; to provide for the accommodation of ſick and diſabled ſeamen, under ſuch general inſtructions as ſhall be given by the Preſident of the United States, for that purpoſe, and alſo ſubject to the like general inſtructions, to direct and govern ſuch hoſpitals as the Preſident may direct to be built in the reſpective ports: and that the ſaid directors ſhall hold their offices during the pleaſure of the Preſident, who is authorized to fill up all vacancies that may be occaſioned by the death or removal of any of the perſons ſo to be appointed. And the ſaid directors ſhall render an account of the monies received and expended by them, once in every quarter of a year, to the ſecretary of the Treaſury, or ſuch other perſon as the Preſident ſhall direct; but no other allowance or compenſation ſhall be made to the ſaid directors, except the payment of ſuch expenſes as they may incur in the actual diſcharge of the duties required by this act. their duties.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER XCV.

An Act for erecting a light-houſe at Gay-Head, on Martha's Vineyard; and for other purpoſes.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That as ſoon as the juriſdiction of ſuch land at Gay-Head, on the weſtern part of Martha's Vineyard, in the ſtate of Maſſachuſetts, as the Preſident of the United States ſhall deem ſufficient, and moſt Light-houſe to be erected at Gay-head.

proper for the accommodation of a light-houſe, ſhall have been ceded to the United States, it ſhall be the duty of the Secretary of the Treaſury to provide by contract, which ſhall be approved by the Preſident, for building a light-houſe thereon, and for furniſhing the ſame with all neceſſary ſupplies; and alſo, to agree for the ſalaries and wages of the perſon or perſons who may be appointed by the Preſident, for the ſuperintendance of the ſame: And the Preſident is hereby authorized to make the ſaid appointments.

A lighted beacon & a buoy to be fixed at the New Inlet of Cape Fear river.

Sec. 2. *And be it further enacted*, That as ſoon as ſuch land at the New Inlet of Cape Fear river, in the ſtate of North-Carolina, as the Preſident of the United States ſhall deem ſufficient and moſt proper whereon to erect a lighted beacon, ſhall have been ceded to the United States, together with the juriſdiction thereof, it ſhall be the duty of the Secretary of the Treaſury to provide by contract, for erecting a lighted beacon thereon; and alſo for placing a buoy in the inlet aforeſaid, and for furniſhing the ſame with all neceſſary ſupplies.

Appropriation for thoſe purpoſes, and for a beacon and buoys at the entrance of Savannah.

Sec. 3. *And be it further enacted*, That for the purpoſes aforeſaid, and alſo for the payment of ſuch ſum as ſhall be found due to the commiſſioners of pilotage of the port of Savannah, in the ſtate of Georgia, for erecting a beacon, and placing ſundry buoys at the entrance of the ſaid port, on a ſettlement of their accounts at the Treaſury, there be appropriated out of any monies in the treaſury, not otherwiſe particularly appropriated, the ſum of five thouſand ſeven hundred and fifty dollars: *Provided always*, That no payment ſhall be made for erecting the ſaid beacon, until the land whereon the ſame has been erected, together with the juriſdiction thereof, ſhall have been ceded to the

Proviſo.

United States, agreeable to law, and in like manner as has been done in other cases.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

THEODORE SEDGWICK, *President of the Senate, pro tempore.*

APPROVED, July 16, 1798:

JOHN ADAMS,
President of the United States.

CHAPTER XCVI.

An act to enable the President of the United States, to borrow money for the public service.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States shall be, and hereby is authorized to borrow, on behalf of the United States, from the Bank of the United States, which is hereby authorized to lend the same, or from any other body or bodies politic or corporate, or from any person or persons and upon such terms and conditions as he shall judge most advantageous for the United States, a sum not exceeding five millions of dollars, in addition to the monies to be received into the treasury of the United States, from taxes, for making up any deficiency in any appropriation heretofore made by law, or to be made during the present session of Congress; and defraying the expenses which may be incurred, by calling into actual service, any part of the militia of the United States, or by raising, equipping and calling into actual service any regular troops, or volunteers, pursuant to authorities vested or to be vested in the President of the United States, by law: *Provided*, that no engagement nor contract shall be entered into, which shall preclude the United States from reimbursing any sum or

The President may borrow five millions of dollars.

Reservation of the right to reimburse after 15 years.

ſums borrowed at any time after the expiration of fifteen years from the date of ſuch loan.

Surplus of the duties on imports and tonnage pledged for the payment of principal and intereſt.

Sec. 2. *And be it further enacted*, That ſo much as may be neceſſary of the ſurplus of the duties on imports and tonnage, beyond the permanent appropriations heretofore charged upon them by law, ſhall be and hereby is pledged and appropriated for paying the intereſt of all ſuch monies as may be borrowed, purſuant to this act, according to the terms and conditions on which the loan or loans, reſpectively, may be effected: and alſo for paying and diſcharging the principal ſum or ſums of any ſuch loan or loans, according to the terms and conditions to be fixed, as aforeſaid: And the faith of the United States ſhall be and hereby is pledged, to eſtabliſh ſufficient permanent revenues for making up any deficiency that may hereafter appear in the proviſions for paying the ſaid intereſt and principal ſums, or any of them, in manner aforeſaid.

Permanent revenues for making up the deficiency to be eſtabliſhed.

Sums borrowed to be paid into the treaſury, &c.

Sec. 3. *And be it further enacted*, That the ſums to be borrowed, purſuant to this act, ſhall be paid into the treaſury of the United States, and there ſeparately accounted for: and that the ſame ſhall be, and hereby are appropriated in manner following: Firſt, to make up any deficiency in any appropriation heretofore made by law, or to be made, during the preſent ſeſſion of Congreſs; and, ſecondly, to defray the expenſes which may be incurred before the end of the next ſeſſion of Congreſs, by calling into actual ſervice, any part of the militia of the United States, or by raiſing, equipping and calling into actual ſervice, any regular troops, or volunteers, purſuant to authorities veſted or

Appropriation of the ſame.

to be veſted in the Preſident of the United States, by law.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER XCVII.

An Act to ſuſpend, for a further time, the duties upon the manufacture of ſnuff within the United States, and the drawbacks upon the exportation thereof.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That all ſuch parts of any law or laws heretofore paſſed, as impoſe duties upon mills and implements employed in the manufacture of ſnuff, or allow drawbacks upon the exportation of ſnuff manufactured within the United States, ſhall be, and the ſame hereby are ſuſpended until the end of the firſt ſeſſion of the ſixth Congreſs of the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER XCVIII.

An Act for allowing an additional compenſation to the door-keepers and aſſiſtant door-keepers of the Senate and Houſe of Repreſentatives, for their ſervices during the preſent ſeſſion of Congreſs.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there be allowed to

James Mathers, door-keeper of the Senate, and to Thomas Claxton, door-keeper of the Houſe of Repreſentatives, each, two hundred and fifty dollars; and to Cornelius Maxwell, aſſiſtant door-keeper of the Senate, and to Thomas Dunn, the aſſiſtant door-keeper of the Houſe of Repreſentatives, each, two hundred and twenty-five dollars, as an additional compenſation for their ſervices during the preſent ſeſſion of Congreſs.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER XCIX.

An Act to make a further appropriation for the additional naval armament.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the ſum of ſix hundred thouſand dollars ſhall be, and hereby is appropriated, to enable the Preſident of the United States to cauſe to be built, and equipped, three ſhips or veſſels, to be of a force not leſs than thirty two guns each, and of the dimenſions and model which he ſhall deem moſt advantageous for the public ſervice, as part of the additional naval armament authorized by law.

Appropriation for 3 ſhips of not leſs than 32 guns each.

Sec. 2. *And be it further enacted*, That the timber and other materials belonging to the United States proper for building and equipping the ſhips or veſſels aforeſaid, remaining in their ſeveral dock-yards, and elſewhere, may

Diſpoſal of the materials for ſhips now on hand.

be employed under the direction of the Preſident of the United States, in effecting the purpoſes of this act; or may be otherwiſe diſpoſed of as he ſhall think beſt. And the ſum hereby appropriated, ſhall be paid out of any unappropriated money in the treaſury. Appropriation how to be paid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER C.

An Act in further addition to the Act, intituled "An Act to eſtabliſh the judicial courts of the United States."

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the judges of the ſupreme court, and of the ſeveral diſtrict courts of the United States, and all judges and juſtices of the courts of the ſeveral ſtates, having authority by the laws of the United States to take cognizance of offences againſt the conſtitution and laws thereof, ſhall reſpectively have the like power and authority to hold to ſecurity of the peace, and for good behaviour, in caſes ariſing under the conſtitution and laws of the United States, as may or can be lawfully exerciſed by any judge or juſtice of the peace of the reſpective ſtates, in caſes cognizable before them. Power of holding to the peace and good behaviour.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER CI.

An Act making certain appropriations; and to authorize the Preſident to obtain a loan on the credit of the direct tax.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That there ſhall be, and there hereby are appropriated the following ſums, that is to ſay: Towards defraying the bounties, pay and other expenditures which ſhall and may accrue, in the augmentation of the army of the United States, purſuant to the act, intituled, "An act to augment the army of the United States, and for other purpoſes," the ſum of nine hundred thouſand dollars; and in addition to the ſums heretofore appropriated for ſuch fortifications as the Preſident of the United States ſhall cauſe to be erected or completed, the further ſum of ſeventy-five thouſand dollars; and for the further expenſes of the commiſſioners appointed purſuant to the treaty between the United States and Spain, and for the extraordinary expenſes of marking and running certain boundary lines required by the ſame treaty, in addition to the former appropriations, the ſum of twenty-five thouſand dollars, to be paid from any monies which ſhall be in the treaſury of the United States, not already appropriated.

Appropriations for ſeveral purpoſes.

Sec. 2. *And be it further enacted,* That the Preſident of the United States ſhall be, and he is hereby authorized to borrow of the Bank of the United States, who are hereby enabled to lend the ſame, or of any other corporation, perſons or perſon, the ſum of two millions of dollars, upon the credit, and in anticipation of the direct tax, laid and to be collected within the United States; which tax ſhall be, and is hereby pledged for the repayment of any loan

The Preſident may borrow two millions on the credit of the direct tax.

which ſhall be obtained thereon, as aforeſaid; and the faith of the United States ſhall be, and is hereby pledged to make good any deficiency: *Provided*, that the intereſt to be allowed for ſuch loan, ſhall not exceed ſix per centum per annum; and that the principal ſhall be reimburſed at the pleaſure of the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16th, 1798:
JOHN ADAMS,
Preſident of the United States.

CHAPTER CII.

An act to alter and amend the ſeveral acts for the eſtabliſhment and regulation of the Treaſury, War, and Navy Departments.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there ſhall be in the department of the navy, an officer to be denominated accountant of the navy, who ſhall be charged with the ſettlement of all accounts or monies advanced and ſtores iſſued or diſtributed by or under the direction of the ſecretary of the navy, and who ſhall report from time to time, all ſuch ſettlements as ſhall have been made by him for money advanced or iſſued, for the inſpection and reviſion of the accounting officers of the Treaſury. And the compenſation of the ſaid accountant ſhall be a yearly ſalary of one thouſand ſix hundred dollars. And all letters and packages to and from ſaid accountant by mail, ſhall be free of poſtage.

Accountant of the navy eſtabliſhed

His duty.

Compenſation.

Letters free.

Sec. 2. *And be it further enacted*, That the treaſurer of the United States ſhall diſburſe all ſuch money as ſhall have been previouſly or-

The treaſurer to diſburſe

monies for the Navy Department, on warrants, &c.

dered for the uſe of the department of the navy, by warrants from the Treaſury, which diſburſements ſhall be made purſuant to warrants from the Secretary of the Navy, counterſigned by the accountant.

Purchaſes and contracts to be made by the war & navy departments, & accounts to be ſettled with the accountants thereof.

Sec. 3. *And be it further enacted*, That all purchaſes, and contracts, for ſupplies or ſervices for the military and naval ſervice of the United States, ſhall be made by or under the direction of the chief officers of the departments of war and the navy reſpectively, and all agents or contractors for ſupplies or ſervices as aforeſaid, ſhall render their accounts for ſettlement to the accountant of the proper department for which ſuch ſupplies or ſervices are required, ſubject nevertheleſs to the inſpection and reviſion of the officers of the Treaſury in manner before preſcribed.

Purveyor of public ſupplies to execute orders from the Secretaries of War and the Navy.

Sec. 4. *And be it further enacted*, That it ſhall be the duty of the Purveyor of the public ſupplies, to execute all ſuch orders as he may from time to time receive from the Secretary of War or Secretary of the Navy, relative to the procuring and providing of all kinds of ſtores and ſupplies; and ſhall render his accounts relative thereto to the accountants of the proper departments, which accounts ſhall be ſubject to the inſpection and reviſion of the officers of the Treaſury as aforeſaid.

Proviſions of former acts repealed.

Sec. 5. *And be it further enacted*, That the proviſions of the act paſſed on the eighth day of May one thouſand ſeven hundred and ninety two, intituled "An act making alterations in the Treaſury and War departments," and the act paſſed on the twenty third day of February one thouſand ſeven hundred and ninety five, intituled "An act to eſtabliſh the office of Purveyor of public ſupplies," ſo far as the

ſame are repugnant to the proviſions of this act, be, and the ſame are hereby repealed.

Contracts relative to money, &c. to be lodged in the comptroller's office.

Sec. 6. *And be it further enacted*, That all contracts to be made, by virtue of this act, or of any law of the United States, and requiring the advance of money, or to be in any manner connected with the ſettlement of public accounts, ſhall be depoſited in the office of the Comptroller of the Treaſury of the United States, within ninety days after their dates, reſpectively.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER CIII.

An Act making certain additional appropriations for the year one thouſand ſeven hundred and ninety eight.

Relative to the loan-offices.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That for the compenſation of clerks to the Commiſſioners of loans, and an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expenſes of the ſeveral loan-offices, for and during the year one thouſand ſeven hundred and ninety-eight, there ſhall be, and hereby is appropriated, the ſum of thirteen thouſand dollars.

Navy Department.

Sec. 2. *And be it further enacted*, That for the expenſes incident to the Navy Department, for and during the preſent year, including the compenſation of the ſecretary of the Navy, his clerks, and perſons employed in his office,

with the contingent expenſes of the department, there ſhall be, and hereby is appropriated, the ſum of ſix thouſand, two hundred and fourteen dollars and ſeventy-two cents.

Accountant of the Navy Department.

Sec. 3. *And be it further enacted*, That for the expenſes incident to the office of the accountant of the Navy Department, for and during the preſent year, including the compenſation of the Accountant, his clerks, and perſons employed in his office, with all contingent expenſes thereof, there ſhall be, and hereby is appropriated, the ſum of two thouſand and forty-five dollars and nine cents.

Contingencies of this ſeſſion of Congreſs.

Sec. 4. *And be it further enacted*, That for the additional expenſes incident to the preſent ſeſſion of Congreſs, for printing, ſtationary and other contingencies, there ſhall be, and hereby are appropriated, the following ſums, viz. For the Senate one thouſand dollars; for the Houſe of Repreſentatives four thouſand dollars.

For repaying the bank for certain proteſted bills.

Sec. 5. *And be it further enacted*, That for re-paying to the Bank of the United States, a ſum advanced upon bills drawn by the Treaſury of the United States, in favor of the Caſhier of the ſaid Bank, upon the ſuperviſor of the diſtrict of New Hampſhire, and proteſted, there ſhall be, and hereby is appropriated, the ſum of five thouſand five hundred and ſix dollars.

How theſe appropriations ſhall be paid.

Sec. 6. *And be it further enacted*, That the aforeſaid appropriations ſhall be paid out of the ſum of ſix hundred thouſand dollars, reſerved by the act "making proviſion for the debts of the United States."

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER CIV.

An Act authorizing the grant and conveyance of a certain lot of ground to Elie Williams.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he hereby is authorized to contract with Elie Williams, for the sale of a certain lot of ground, twenty perches in lengh, and sixteen perches in breadth, situate in the town of Cincinnati, in the territory northwest of the Ohio, it being the same lot on which certain buildings were erected by the said Elie Williams and Robert Elliot, deceased, when contractors for supplying the western army with provisions.

Sec. 2. *And be it further enacted*, That on payment into the Treasury of the United States of such sum or sums of money as shall have been agreed upon between the said Elie Williams and the Secretary of the Treasury, as the price of the above mentioned lot, the President of the United States be, and he is hereby authorized to grant a patent for the same, to the said Elie Williams, his heirs or assigns.

JONATHAN DAYTON, *Speaker of the House of Representatives.*
THEODORE SEDGWICK, *President of the Senate, pro tempore.*

APPROVED, July 16, 1798:
JOHN ADAMS,
President of the United States.

CHAPTER CV.

An Act to amend the act, entitled "An act to suspend the commercial intercourse between the United States and France, and the dependencies thereof."

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the provision for giving bond and finding sufficient surety or

ſureties, for veſſels bound on foreign voyages, as required in the ſecond ſection of the act, entitled, "An act to ſuſpend the commercial intercourſe between the United States and France, and the dependencies thereof," ſhall extend no further, than to obligations to the amount of the value of the veſſels reſpectively, and to a ſum in addition thereto equal to one third of the value of the cargo. *Provided*, That in no caſe the ſurety or ſureties ſhall be anſwerable for more than ten thouſand dollars, any thing in the act abovementioned to the contrary notwithſtanding.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:

JOHN ADAMS,
Preſident of the United States.

CHAPTER CVI.

An act allowing an additional compenſation to the Secretary of the Senate, and Clerk of the Houſe of Repreſentatives, and to their clerks, for their ſervices during the preſent ſeſſion of Congreſs.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That there be allowed to the Secretary of the Senate, and to the Clerk of the Houſe of Repreſentatives, each, two hundred dollars; and to the principal and the engroſſing Clerks in the office of the Secretary of the Senate and of the clerk of the Houſe of Repreſentatives, the ſum of one hundred dollars, each, as an additional compenſation for their ſervices, during the preſent ſeſſion of Congreſs.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

THEODORE SEDGWICK, *Preſident of the Senate, pro tempore.*

APPROVED, July 16, 1798:

JOHN ADAMS,
Preſident of the United States.

RESOLVED *by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Secretary of State be, and he hereby is authorized and directed to cauſe to be printed a number of copies, not exceeding ten thouſand, of the inſtructions to the Envoys Extraordinary and Miniſters Plenipotentiary of the United States, to the French Republic, and of all the diſpatches hitherto received from them and which have been communicated by the Preddent of the United States to both Houſes of Congreſs, and to cauſe the ſame to be diſtributed, gratis, throughout the United States, and particularly, in ſuch parts thereof, wherein the diſſemination of information, through the medium of newſpapers, is the moſt obſtructed.

The Secretary of State to cauſe the papers relative to the late miſſion to France, to be printed and diſtributed.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, June 22d, 1798:

JOHN ADAMS, *Preſident of the United States.*

EXPLANATORY ARTICLE, *to be added to the treaty of Amity, Commerce and Navigation, between the United States and his Britannic Majeſty.*

WHEREAS *by the twenty-eighth Article of the Treaty of Amity, Commerce and Navigation, between his Britannic Majeſty, and the United States, ſigned at London on the nineteenth day of November, one thouſand ſeven hundred and ninety-four, it was agreed, that the contracting parties would from time to time, readily treat of and concerning ſuch further Articles, as might be propoſed, that they would ſincerely endeavour ſo to form ſuch Articles, as that they might conduce to mutual convenience, and tend to promote mutual ſatisfaction and friendſhip; and that ſuch Articles, after having been duly ratified, ſhould be added to and make a part of that Treaty: And whereas difficulties have ariſen with reſpect to the execution of ſo much of the* Fifth Article *of the ſaid Treaty, as requires that the Commiſſioners, appointed under the ſame, ſhould in their deſcription particularize the latitude and longitude of the ſource of the River, which may be found to be the one truly intended in the Treaty of Peace, between his Britannic Majeſty and the United States, under the name of the River St. Croix, by reaſon*

The commiſſioners under the 5th article releaſed from particularizing the latitude and longitude of the ſource of the river intended by the St. Croix.

whereof it is expedient, that the said commissioners should be released from the obligation of conforming to the provisions of the said Article in this respect. The undersigned being respectively named by his Britannic Majesty and the United States of America, their Plenipotentiaries for the purpose of treating of and concluding such Articles as may be proper to be added to the said Treaty, in conformity to the above-mentioned stipulation, and having communicated to each other their respective full powers, have agreed and concluded, and do hereby declare in the name of his Britannic Majesty and of the United States of America—That the commissioners appointed under the 5th Article of the above-mentioned Treaty shall not be obliged to particularize, in their description, the latitude and longitude of the source of the river, which may be found to be the one truly intended in the aforesaid Treaty of peace, under the name of the river St. Croix, but they shall be at liberty to describe the said river, in such other manner, as they may judge expedient, which description shall be considered as a compleat execution of the duty required of the said commissioners in this respect by the Article aforesaid. And to the end that no uncertainty may hereafter exist on this subject, it is further agreed, That as soon as may be after the decision of the said commissioners, measures shall be concerted between the governmeut of the United States and his Britannic Majesty's governors or Lieutenant Governors in America, in order to erect and keep in repair a suitable monument at the place ascertained and described to be the source of the said river St. Croix, which measures shall immediately thereupon, and as often afterwards as may be requisite, be duly executed on both sides with punctuality and good faith.

A monument to be erected at the source of that river.

This Explanatory Article, when the same shall have been ratified by his Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be added to and make a part of the treaty of amity, commerce, and navigation between his Majesty and the United States, signed at London on the nineteenth day of November, one thousand seven hundred and ninety-four, and shall be permanently binding upon his Majesty and the United States.

IN WITNESS whereof, We the said undersigned Plenipotentiaries of his Britannic Majesty and the United States of America have signed this present article, and have caused to be affixed thereto the seal of our arms. DONE at London this fifteenth day of March, one thousand seven hundred and ninety eight.

SIGNED. GRENVILLE. (L. S.)
RUFUS KING. (L. S.)

ACTS

PASSED AT

THE THIRD SESSION

OF THE

FIFTH CONGRESS

OF THE

United States of America,

BEGUN AND HELD AT THE CITY OF PHILADELPHIA,

In the State of Pennſylvania,

On Monday, the third of December,

IN THE YEAR M,DCC,XCVIII.

AND OF THE

Independence of the United States,

THE TWENTY-THIRD.

PHILADELPHIA:

PRINTED BY RICHARD FOLWELL,

No. 33, *CARTER'S-ALLEY.*

ACTS

PASSED AT

THE THIRD SESSION

OF THE

FIFTH CONGRESS

OF THE

United States of America,

BEGUN AND HELD AT THE CITY OF PHILADELPHIA,

In the State of Pennsylvania,

On Monday, the Fifth of December,

IN THE YEAR M,DCC,XCVIII.

AND OF THE

Independence of the United States

THE TWENTY-THIRD.

PRINTED BY RICHARD FOLWELL,

No. 33, Market-street.

ACTS
OF
CONGRESS.

CHAPTER CVII.

An act for the puniſhment of certain crimes therein ſpecified.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That if any perſon, being a citizen of the United States, whether he be actually reſident, or abiding within the United States, or in any foreign country, ſhall, without the permiſſion or authority of the government of the United States, directly or indirectly, commence, or carry on, any verbal or written correſpondence or intercourſe with any foreign government, or any officer or agent thereof, with an intent to influence the meaſures or conduct of any foreign government, or of any officer or agent thereof, in relation to any diſputes or controverſies with the United States, or defeat the meaſures of the government of the United States; or if any perſon, being a citizen of, or reſident within the United States, and not duly authorized, ſhall counſel, adviſe, aid or aſſiſt in any ſuch correſpondence, with intent, as aforeſaid, he or they ſhall be deemed guilty of a high miſdemeanor, and on conviction before any court of the United States having juriſdiction thereof, ſhall be puniſhed by a fine not exceeding five thouſand dollars,

Penalty on a citizen holding certain correſpondence with a foreign government or its agents.

Aiders and abettors.

and by imprisonment during a term not less than six months, nor exceeding three years: *Provided always*, That nothing in this act contained shall be construed to abridge the right of individual citizens of the United States to apply, by themselves, or their lawful agents, to any foreign government, or the agents thereof, for the redress of any injuries in relation to person or property which such individuals may have sustained from such government, or any of its agents, citizens or subjects.

Proviso.

JONATHAN DAYTON, *Speaker of the House of Representatives*
TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, January 30, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CVIII.

An act further to suspend the Commercial Intercourse between the United States and France, and the dependencies thereof.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the third day of March next, no ship or vessel owned, hired or employed, wholly, or in part, by any person resident within the United States, and which shall depart therefrom, shall be allowed to proceed directly, or from any intermediate port or place, to any port or place within the territory of the French Republic, or the dependencies thereof, or to any place in the West-Indies, or elsewhere, under the acknowledged government of France, or shall be employed in any traffic or commerce with or for any person resident within the jurisdiction, or under the authority of the French Republic.

After 3d March, vessels not to go to French ports; nor to be employed in certain traffic.

And if any ſhip or veſſel, in any voyage thereafter commencing, and before her return within the United States, ſhall be voluntarily carried or ſuffered to proceed to any French port or place, as aforeſaid, or ſhall be employed, as aforeſaid, contrary to the intent hereof, every ſuch ſhip or veſſel, together with her cargo, ſhall be forfeited; and ſhall accrue, the one half to the uſe of the United States, and the other half to the uſe of any perſon or perſons, citizens of the United States, who will inform and proſecute for the ſame; and ſhall be liable to be ſeized, and may be proſecuted and condemned, in any circuit or diſtrict court of the United States, which ſhall be holden within or for the diſtrict where the ſeizure ſhall be made.

Veſſels contravening to be forfeited, together with their cargoes.

Sec. 2. *And be it further enacted*, That from and after the paſſing of this act, no clearance for a foreign voyage ſhall be granted to any ſhip or veſſel, owned, hired or employed, wholly or in part, by any perſon reſident within the United States, until a bond ſhall be given, to the uſe of the United States, wherein the owner or employer, if uſually reſident or preſent where the clearance ſhall be required, and otherwiſe his agent or factor, and the maſter or captain of ſuch ſhip or veſſel, for the intended voyage, ſhall be parties, in a ſum equal to the value of the ſhip or veſſel, and to one-third of the value of her cargo, and ſhall find ſufficient ſurety or ſureties to the amount of one-half of the principal ſum, with condition that the ſame ſhall not, during her intended voyage, or before her return within the United States, proceed or be carried, directly or indirectly to any port or place within the territory of the French Republic, or the dependencies thereof, or any place in the Weſt-Indies, or elſewhere, under the acknowledged government of France, unleſs by actual force and violence, to be fully proved and

Bond to be given on clearing for a foreign voyage.

manifeſted before the acquittance of ſuch bond, and that ſuch veſſel is not, and ſhall not be employed, during her intended voyage, or before her return, as aforeſaid, in any traffic or commerce, with or for any perſon reſident within the territory of that Republic, or in any of the dependencies thereof:—*Provided*, That in no caſe, the ſurety or ſureties ſhall be anſwerable for more than ten thouſand dollars.

Sureties not to be anſwerable beyond 10,000 dollars.

Sec. 3. *And be it further enacted*, That from and after the ſaid third day of March, no French ſhip or veſſel, armed or unarmed, commiſſioned by or for, or under the authority of the French Republic, or owned, fitted, hired or employed by any perſon reſident within the territory of that Republic, or any of the dependencies thereof, or ſailing or coming therefrom, (excepting as is herein-after excepted) ſhall be allowed an entry, or to remain within the territory of the United States, unleſs driven thither by diſtreſs of weather, or in want of proviſions. And if, contrary to the intent hereof, any ſuch ſhip or veſſel ſhall be found within the juriſdictional limits of the United States, not being liable to ſeizure for any other cauſe, the company having charge thereof, ſhall be required to depart and carry away the ſame, avoiding all unneceſſary delay; and if they ſhall, notwithſtanding, remain, it ſhall be the duty of the collector of the diſtrict wherein, or neareſt to which, ſuch ſhip or veſſel ſhall be, to ſeize and detain the ſame, at the expenſe of the United States: *Provided*, That in the caſe of veſſels hereby prohibited, which ſhall be driven by diſtreſs of weather, or want of proviſions, into any port or place of the United States, they may be ſuffered to remain under the cuſtody of the collector there, or neareſt thereto, until ſuitable repairs or ſupplies can be obtained; and as ſoon as may be thereafter, ſhall be required and ſuffered to de-

French veſſels & certain others, not to be allowed to enter or remain within the U. States except in the caſe of diſtreſs.

part; but no part of the lading of such vessel shall be taken out, or disposed of, unless by the special permit of such collector, to defray the unavoidable expense of such repairs or supplies.

Sec. 4. *Provided, and be it further enacted*, That at any time after the passing of this act, it shall be lawful for the President of the United States, if he shall deem it expedient and consistent with the interest of the United States, by his order, to remit and discontinue, for the time being, the restraints and prohibitions aforesaid, either with respect to the French Republic, or to any island, port or place belonging to the said Republic, with which a commercial intercourse may safely be renewed; and also to revoke such order, whenever, in his opinion, the interest of the United States shall require; and he shall be, and hereby is authorised to make proclamation thereof accordingly.

President may order these restraints and prohibitions to be discontinued; and again revoke such order.

Sec. 5. *And be it further enacted*, That it shall be lawful for the President of the United States, to give instructions to the commanders of the public armed ships of the United States, to stop and examine any ship or vessel of the United States on the high sea, which there may be reason to suspect to be engaged in any traffic or commerce contrary to the true tenor hereof; and if, upon examination, it shall appear that such ship or vessel is bound or sailing to any port or place within the territory of the French Republic, or her dependencies, contrary to the intent of this act, it shall be the duty of the commander of such public armed vessel, to seize every ship or vessel engaged in such illicit commerce, and send the same to the neareſt port in the United States; and every such ship or vessel, thus bound or sailing to any such port or place, shall, upon due proof thereof, be liable to the like penalties and forfeitures, as are provided in and by the first section of this act.

He may instruct the public armed ships to stop and examine suspected vessels, and send them into port.

Mode of obtaining relief in certain cases of seizure under this and the former act.

Sec. 6. *And be it further enacted*, That whenever any ship or vessel, owned wholly or in part, or employed by any citizen or citizens of the United States, and coming from any port or place within the territory of the French Republic, or the dependencies thereof, which has arrived within any port or place of the United States since the first day of December last past, or which shall hereafter arrive, hath been or hereafter shall be seized and detained by virtue of this act, or of an act, entituled "An act to suspend the commercial intercourse between the United States and France, and the dependencies thereof,"—it shall be lawful for any person claiming such ship or vessel, to prefer his petition to the judge of the district in which such seizure shall be made, setting forth the circumstances of his case, and to pray that the same ship or vessel, and her cargo, may be restored; and the said judge shall thereupon enquire, in a summary manner, into the circumstances of the case, first causing reasonable notice to be given to the attorney of the United States for such district, and to the collector of the district by whom such seizure or detention hath been or shall be made, that each may have an opportunity of shewing cause against the prayer of such petition; and shall cause the facts which shall appear upon such enquiry, to be stated and annexed to the petition, and direct their transmission to the Secretary of the Treasury; and if it shall appear to his satisfaction, that such ship or vessel was captured or driven into such port or place by distress of weather, or want of provisions, or was unavoidably detained and delayed by some embargo, arrest, capture, contrary winds, or other unavoidable casualty, without any fault, wilful negligence, or intention to evade the provisions of the act before mentioned, or of this act, in any such claimant, the Secretary of

the Treaſury ſhall order the reſtoration of ſaid veſſel and cargo, to ſuch claimant, upon ſuch terms and conditions as he may deem reaſonable and juſt; otherwiſe, and in all caſes wherein ſuch petition ſhall not be preſented, every ſhip or veſſel that has arrived ſince the ſaid firſt day of December from any port or place in the French republic, or the dependencies thereof, or which ſhall hereafter arrive within any port or place of the United States, unleſs driven by ſtreſs of weather or want of proviſions, ſhall be liable to be proſecuted and condemned in the ſame manner, and to the ſame uſes as are provided in and by the firſt ſection of this act; and like proceedings ſhall alſo be had, and like forfeitures incurred, as are herein provided with reſpect to veſſels coming from France, and the dependencies thereof, in all caſes when any ſhip or veſſel ſhall arrive in any port or place of the United States, from any port or place, with which all commercial intercourſe ſhall be prohibited by proclamation, according to the intent of this act.

Preſident may grant permiſſion to enter or clear in ſpecial caſes.

Sec. 7. *Provided, and be it further enacted*, That nothing in this act contained, ſhall extend to any ſhip or veſſel to which the Preſident of the United States ſhall grant a permiſſion to enter or to clear; which permiſſion he is hereby authorized to grant to veſſels which ſhall be ſolely employed in any purpoſe of political or national intercourſe, or to aid the departure of any French perſons, with their goods and effects, who ſhall have been reſident within the United States, when he may think requiſite.

Limitation of this act.

Sec. 8. *And be it further enacted*, That this act ſhall continue and be in force until the third

day of March, in the year one thouſand eight hundred.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 9th, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CIX.

An act reſpecting balances reported againſt certain ſtates, by the commiſſioners appointed to ſettle the accounts between the United States and the ſeveral ſtates.

Debtor ſtates aſſuming to pay or to expend in fortifications a ſum in money or in ſtock, equal to their debts, may obtain a diſcharge, &c.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That if any ſtate againſt which a balance was reported by the commiſſioners appointed to ſettle the accounts between the United States and the ſeveral ſtates, ſhall, on or before the firſt day of April, one thouſand eight hundred, by a legiſlative act, engage to pay into the Treaſury of the United States, within five years after paſſing ſuch legiſlative act, or to expend, within the time laſt mentioned, in erecting, enlarging or compleating any fortifications for the defence of the United States at ſuch place or places the juriſdiction whereof, having been, previouſly to ſuch expenditure, ceded by ſuch ſtate to the United States, with reſervation that proceſs civil and criminal iſſuing under authority of ſuch ſtate, may be ſerved and executed therein, and according to ſuch plan or plans as ſhall be approved by the Preſident of the United States, a ſum in money, or in ſtock of the United States, equal to the balance reported as aforeſaid, againſt ſuch ſtate, or to the ſum aſſumed by the

United States in the debt of ſuch ſtate, ſuch payment or expenditure, when ſo made, ſhall be accepted by the United States, as a full diſcharge of all demands on account of ſaid balance; and the Preſident of the United States ſhall be, and hereby is authorized to cauſe credit to be given to ſuch ſtate on the books of the Treaſury of the United States accordingly: *Provided, however*, That no more than one third part of the whole payment or expenditure that may be made by any ſuch ſtate ſhall be made in three per cent. ſtock, nor more than one third part of the remaining two thirds ſhall be made in deferred ſtock: *And provided alſo*, That any ſuch ſtate may obtain a full diſcharge, as aforeſaid, by the payment or expenditure of a ſum of money, ſufficient in the opinion of the Secretary of the Treaſury, to purchaſe, at market price, the different ſpecies of ſtock, the payment or expenditure of which would be accepted as a full diſcharge, as aforeſaid.

Limitation of the diſcriptions of ſtock to be paid or expended.

Such ſtate may obtain a diſcharge by the payment or expenditure of a ſum of money, &c.

Sec. 2. *Provided always, and be it further enacted*, That if any ſuch ſtate as aforeſaid, ſhall have expended ſince the eſtabliſhment of the preſent government of the United States, any ſum of money in fortifying any place ſince ceded by ſuch ſtate to the United States, or which may be ſo ceded, within one year after the paſſing of this act, ſuch expenditure having been aſcertained and proved to the ſatisfaction of the Secretary of the Treaſury, ſhall be taken and allowed as part of the expenditure intended by this act.

Proviſion including expenditures on fortifications before their ceſſion to the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States and Preſident of the Senate.*

APPROVED, February 15th, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CX.

An act for the relief of Thomas Lewis.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the proper accounting officers of the Treasury be, and they are hereby directed to settle the accounts of Thomas Lewis, a captain in the army of the United States, and to allow him a sum not exceeding eleven hundred and fifty-seven dollars in full for his extra services and expences during the time he acted as additional aid-de-camp to the late Major-General Wayne.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, February 15, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXI.

An act for the relief of Jonathan Haskill.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the accounting officers of the Treasury be, and they are hereby directed, to credit and allow to Jonathan Haskill, the sum of two hundred and fifty-eight dollars and twenty-five cents, placed in his hands for the use of a detachment of troops under his command, and by him lost, in the month of September, one thousand seven hundred and ninety-one.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States and President of the Senate.*

APPROVED, February 19, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXII.

An act to authorize the reimburſement of monies expended in rendering aid to ſick and deſtitute American ſeamen, in foreign countries.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Secretary of State be, and hereby is authorized, under the direction of the Preſident of the United States, to reimburſe ſuch reaſonable advances of money, as have been made, or, during the preſent year, may be made, by the conſuls of the United States, in affording relief to ſick and deſtitute American ſeamen, in foreign countries, or in aiding them to return to their homes, beyond the ſum allowed by law for that purpoſe.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 19, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXIII.

An act for the relief of Gazzam, Taylor and Jones, and of Samuel Watt, of the city of Philadelphia.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the collector of the port of Philadelphia be authorized to pay to Gazzam, Taylor and Jones, and to Samuel Watt, of the city of Philadelphia, merchants, the amount of the drawback of duties on ſo much of the cargo of the ſchooner Eagle, be-

longing to them, as was ſhipped in the year one thouſand ſeven hundred and ninety-ſix, on board the ſaid veſſel, for St. Thomas's, and reladen in the river Delaware on board the brig Fame, for St. Croix: *Provided*, it ſhall appear to the ſatisfaction of the ſaid collector, that every requiſite of the law has been complied with by the ſaid Gazzam, Taylor and Jones, and of Samuel Watt, to entitle them to the ſaid drawback of duties, in caſe the ſaid goods had not been re-ſhipped, as aforeſaid.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States and Preſident of the Senate.*

APPROVED, February 19, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXIV.

An act to amend an act, entitled "An act giving effect to the laws of the United States within the diſtrict of Tenneſſee."

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That any perſon who ſhall commit an offence againſt the laws of the United States, on the eaſt ſide of Cumberland mountain, within the diſtrict of Tenneſſee, ſhall not be held to anſwer at the court at Naſhville, or any other place, on the weſt ſide of ſaid mountain, and that any perſon who ſhall commit an offence againſt the laws of the United States on the weſt ſide of ſaid mountain, within the ſaid diſtrict, ſhall not be held to anſwer, at the court at Knoxville, or any other place, upon the eaſt ſide of ſaid mountain, but that all perſons who ſhall commit of-

Offenders to anſwer on that ſide of Cumberland mountain where their offences were committed.

fences againſt the laws of the United States (within the ſaid diſtrict) ſhall be held to anſwer in the court on that ſide of the ſaid mountain, where ſuch offence ſhall have been committed.

Suits by the United States to be returned to the court on that ſide of the mountain where the defendants are found.

Sec. 2. *And be it further enacted*, That any ſuits which ſhall be brought by the United States, in the diſtrict court of Tenneſſee, againſt any perſon reſiding on the eaſt ſide of ſaid mountain, ſhall not be returned to the court at Naſhville, on the weſt ſide of the ſaid mountain, and that any ſuits which ſhall be brought by the United States, againſt any perſon reſiding upon the weſt ſide of ſaid mountain, ſhall not be returned to the court at Knoxville, on the eaſt ſide of the ſaid mountain. But that all ſuits which ſhall be brought by the United States, againſt any perſon or perſons, reſiding on the reſpective ſides of the ſaid mountain, ſhall be returned to the court, on that ſide of the ſaid mountain, where the defendant or defendants ſhall reſide or be found at the time of bringing ſuch ſuit or ſuits.

Weſtern foot of Cumberland mountain to be the boundary.

Sec. 3. *And be it further enacted*, That the weſtern foot of Cumberland mountain ſhall be the boundary, dividing the juriſdiction of the eaſtern, from the weſtern ſide of ſaid mountain.

Suits to be proceeded upon to final judgment in the court to which they are returned, &c.

Sec. 4. *And be it further enacted*, That all ſuits which may be brought as aforeſaid, ſhall be proceeded upon to final judgement in the court wherein ſuch ſuit or ſuits ſhall have been originally returned, and it ſhall be the duty of the clerk for the diſtrict of Tenneſſee, to keep two ſeparate dockets, for the purpoſes aforeſaid—one for the court at Naſhville, and one for the court at Knoxville—*Provided*, That nothing in this act ſhall be ſo conſtrued, as to prevent writs of execution iſſued from either of the ſaid courts, being executed on the perſon or property of the defendant or defendants, in

No reſtriction as to executions.

any part of the diſtrict of Tenneſſee, in the ſame manner as if this act had never been made.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States and Preſident of the Senate.*

APPROVED—February 19, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXV.

An act appropriating a certain ſum of money to defray the expenſe of holding a treaty or treaties with the Indians.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That a ſum not exceeding twenty-five thouſands dollars, be appropriated to defray the expenſe of ſuch treaty or treaties as the Preſident of the United States ſhall deem expedient to hold with the Indians: *Provided*, nothing in this act contained ſhall be conſtrued to admit an obligation on the part of the United States to extinguiſh, for the benefit of any ſtate or individual citizen, Indian claims to any lands lying within the limits of the United States; and that the compenſation to be allowed to any of the commiſſioners appointed, or who may be appointed for negotiating ſuch treaty or treaties, ſhall not exceed, excluſive of travelling expenſes, the rate of eight dollars per day, during the time of actual ſervice of ſuch commiſſioner.

Sec. 2. *And be it further enacted*, That the ſum aforeſaid ſhall be paid out of any monies in the Treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 19, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXVI.

An act fixing the pay of the captains and commanders of ships and vessels of war of the United States.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the vessels in the service of the United States, mounting twenty guns and upwards, be commanded by captains—those not exceeding eighteen guns (except gallies, which are to be commanded, as heretofore provided by law) by masters or lieutenants, according to the size of the vessel, to be regulated by the President of the United States.

By what officers vessels of the U. States are to be commanded.

Sec. 2. *And be it further enacted*, That the pay of captains commanding ships of thirty-two guns and upwards, be one hundred dollars per month, and eight rations per day; of captains commanding ships of twenty and under thirty-two guns, seventy-five dollars per month, and six rations per day; of a master commandant, sixty dollars per month, and five rations per day, and of lieutenants, who may command the smaller vessels, fifty dollars per month, and four rations per day.

Pay and allowance to captains and commanders.

Sec. 3. *And be it further enacted*, That whenever any officer, as aforesaid, shall be employed in the command of a squadron, on separate service, the allowance of rations to such commanding officer shall be doubled during the continuance of such command, and no longer, except in the case of the commanding officer of the navy, whose allowance, while in service, shall always be at the rate of sixteen rations per day.

Allowance to commanders of squadrons and the commander of the navy.

JONATHAN DAYTON,
Speaker of the House of Representatives.
TH: JEFFERSON,
Vice-President of the United States, and President of the Senate.

APPROVED, February 25, 1799.
JOHN ADAMS, *President of the United States.*

CHAPTER CXVII.

An act making appropriations for defraying the expenſes which may ariſe in carrying into effect certain treaties between the United States, and ſeveral tribes or nations of Indians.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That for the purpoſe of defraying the expenſes which may ariſe in carrying into effect the following treaties, (viz:) A treaty made and concluded with the Creeks at the city of New-York, on the ſeventh day of April, one thouſand ſeven hundred and ninety, and a further treaty with the ſaid Creeks, made and concluded at Colerain, in the ſtate of Georgia, on the twenty-ninth of June, one thouſand ſeven hundred and ninety-ſix: A treaty made and concluded with the chiefs and warriors of the Six Nations on the eleventh November, one thouſand ſeven hundred and ninety-four: An agreement made and entered into with the chiefs of the Chickaſaw nation, in Philadelphia on the fifteenth July, one thouſand ſeven hundred and ninety-four, to pay to the ſaid nation, goods to the amount of three thouſand dollars annually: And the treaty made and concluded at Tellico with the Cherokee tribe or nation on the ſecond day of October, one thouſand ſeven hundred and ninety-eight; and a treaty of Holſton mentioned in the ſame: The money ariſing under the revenue laws of the United States, which have been heretofore paſſed, and not already appropriated to any other purpoſe, that is to ſay, ſo much thereof as may be neceſſary, be, and is hereby pledged and appropriated for the payment of the annuities ſtipulated as aforeſaid, to be paid to the ſaid Indian tribes, or nations, and to continue

Treaties of New-York and Colerain with the Creeks.

Treaty with the Six Nations.

Agreement with the Chicaſaws.

Treaty with Cherokees at Tellico.

Treaty of Holſton.

Permanent appropriation for the annuities ſtipulated in thoſe treaties.

ſo pledged and appropriated ſo long as the ſaid treaties and agreement ſhall be in force. And that a further ſum of ten thouſand dollars, out of the money aforeſaid, be, and hereby is appropriated to defray the coſt of tranſportation, and other contingent charges which may ariſe from the payment of ſaid annuities, according to the ſtipulations made and entered into with the aforeſaid nations, tribes or Indians.

10,000 dollars appropriated for the expenſe of tranſportation, &c.

JONATHAN DAYTON,
Speaker of the Houſe of Repreſentatives.
TH: JEFFERSON,
Vice-Preſident of the United States, and Preſident of the Senate.

APPROVED—February 25, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXVIII.

An act reſpecting quarantines, and health laws.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the quarantines and other reſtraints, which ſhall be required and eſtabliſhed by the health laws of any ſtate, or purſuant thereto, reſpecting any veſſels arriving in, or bound to, any port or diſtrict thereof, whether from a foreign port or place, or from another diſtrict of the United States, ſhall be duly obſerved by the collectors, and all other officers of the revenue of the United States, appointed and employed for the ſeveral collection diſtricts of ſuch ſtate reſpectively, and by the maſters and crews of the ſeveral revenue cutters, and by the military officers who ſhall command in any fort or ſtation upon the ſea coaſt; and all ſuch officers of the United States ſhall be, and they

Quarantines and other reſtraints impoſed by the health laws of the ſtates to be obſerved by certain officers of the United States;

who ſhall alſo aid in their execution.

hereby are, authorized and required, faithfully to aid in the execution of ſuch quarantines and health laws, according to their reſpective powers and precincts, and as they ſhall be directed from time to time by the Secretary of the Treaſury of the United States.

Secretary of the Treaſury may vary the regulations relative to the entry and report of veſſels & their cargoes.

And the ſaid Secretary ſhall be, and he is hereby authorized, when a conformity to ſuch quarantines and health laws ſhall require it, and in reſpect to veſſels which ſhall be ſubject thereto, to prolong the terms limited for the entry of the ſame, and the report or entry of their cargoes, and to vary or diſpenſe with any other regulations applicable to ſuch reports or entries: *Provided*, that nothing herein ſhall enable any ſtate to collect a duty of tonnage or impoſt, without the conſent of the Congreſs of the United States thereto: *And provided*, that no part of the cargo of any veſſel ſhall, in any caſe, be taken out, or unladen therefrom, otherwiſe than as by law is allowed, or according to the regulations hereinafter eſtabliſhed.

Proviſos.

Veſſels prohibited from coming to ports of entry or delivery may, in certain caſes, diſcharge their cargoes elſewhere.

Sec. 2. *And be it further enacted*, That when, by the health laws of any ſtate, or by the regulations which ſhall be made purſuant thereto, any veſſel arriving within a collection diſtrict of ſuch ſtate, ſhall be prohibited from coming to the port of entry or delivery by law eſtabliſhed for ſuch diſtrict, and it ſhall be required or permitted by ſuch health laws, that the cargo of ſuch veſſel ſhall or may be unladen at ſome other place within or near to ſuch diſtrict, the collector authorized therein after due report to him of the whole of ſuch cargo, may grant his ſpecial warrant or permit for the unlading and diſcharge thereof, under the care of the ſurveyor, or of one or more inſpectors, at ſome other place where

ſuch health laws ſhall permit, and upon the conditions and reſtrictions which ſhall be directed by the Secretary of the Treaſury, or which ſuch collector may, for the time, reaſonably judge expedient for the ſecurity of the public revenue: *Provided*, That in every ſuch caſe, all the articles of the cargo ſo to be unladen, ſhall be depoſited, at the riſk of the parties concerned therein, in ſuch public, or other ware-houſes or incloſures, as the collector ſhall deſignate, there to remain under the joint cuſtody of ſuch collector, and of the owner or owners, or maſter, or other perſon having charge of ſuch veſſel, until the ſame ſhall be entirely unladen or diſcharged; and until the goods, wares or merchandize which ſhall be ſo depoſited may be ſafely removed, without contravening ſuch health laws; and when ſuch removal may be allowed, the collector having charge of ſuch goods, wares or merchandize, may grant permits to the reſpective owners or conſignees, their factors or agents, to receive all goods, wares or merchandize, which ſhall be entered, and whereof the duties accruing ſhall be paid or ſecured, according to law, upon the payment by them of a reaſonable rate of ſtoreage; which ſhall be fixed by the Secretary of the Treaſury for all public ware-houſes and incloſures.

Ware-houſes, &c. may be procured for the reception of ſuch cargoes.

Sec. 3. *And be it further enacted*, That there ſhall be purchaſed or erected, under the orders of the Preſident of the United States, ſuitable ware-houſes, with wharves and incloſures, where goods and merchandize may be unladen and depoſited, from any veſſel which ſhall be ſubject to a quarantine, or other reſtraint, purſuant to the health laws of any ſtate as aforeſaid, at ſuch convenient place or places therein, as the ſafety of the public revenue,

and the obſervance of ſuch health laws may require.

In caſe of contagious or epidemical diſeaſe at the ports of entry, the officers may be removed.

Sec. 4. *And be it further enacted*, That when, by the prevalence of any contagious or epidemical diſeaſe, in or near the place by law eſtabliſhed, as the port of entry for any collection diſtrict, it ſhall become dangerous or inconvenient for the collector and the other officers of the revenue employed therein, to continue the diſcharge of their reſpective offices at ſuch port, the Secretary, or in his abſence, the Comptroller of the Treaſury of the United States, may direct and authorize the removal of the collector, and the other officers employed in his department, from ſuch port, to any other more convenient place, within, or as near as may be to ſuch collection diſtrict, where ſuch collector and officers may exerciſe the ſame authorities, and ſhall be liable to the ſame duties, according to exiſting circumſtances, as in ſuch lawful port or diſtrict; and of ſuch removal, public notice ſhall be given as ſoon as may be.

In caſe of ſuch diſeaſe priſoners may be removed.

Sec. 5. *And be it further enacted*, That it ſhall be lawful for the judge of any diſtrict-court of the United States within whoſe diſtrict any contagious or epidemical diſeaſe ſhall at any time prevail, ſo as in his opinion, to endanger the life or lives of any perſon or perſons confined in the priſon of ſuch diſtrict, in purſuance of any law of the United States, to direct the marſhal to cauſe the perſon or perſons confined as aforeſaid, to be removed to the next adjacent priſon where ſuch diſeaſe does not prevail, there to be confined, until he, ſhe or they may ſafely be removed back to the place of their firſt confinement; which removals ſhall be at the expenſe of the United States.

Sec. 6. *And be it further enacted*, That in case of the prevalence of a contagious or epidemical disease at the seat of government, it shall be lawful for the President of the United States to permit and direct the removal of any or all the public offices to such other place or places as, in his discretion, shall be deemed most safe and convenient for conducting the public business. The public offices may be removed in case of disease at the seat of government.

Sec. 7. *And be it further enacted*, That whenever, in the opinion of the chief justice, or in case of his death, or inability, of the senior associate justice of the supreme court of the United States, a contagious sickness shall render it hazardous to hold the next stated session of the said court at the seat of government, it shall be lawful for the chief or such associate justice, to issue his order to the marshal of the district within which the supreme court is by law to be holden, directing him to adjourn the said session of the said court to such other place within the same, or an adjoining district, as he may deem convenient; and the said marshal shall thereupon adjourn the said court, by making publication thereof in one or more public papers printed at the place by law appointed for holding the same, from the time he shall receive such order, until the time by law prescribed for commencing the said session. And the district judges shall, respectively, under the same circumstances, have the same power, by the same means, to direct adjournments of the district and circuit courts within their several districts, to some convenient place within the same, respectively. Supreme court may in such case be adjourned to a different place. Also the district and circuit courts.

Sec. 8. *And be it further enacted*, That the act, intituled "An act relative to quarantine," passed in the first session of the fourth Repeal of the former act.

Congreſs of the United States, ſhall be, and the ſame is hereby repealed.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 25, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXIX.

An act for the augmentation of the Navy.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That under the orders of the Preſident of the United States, and in addition to the naval armament already authoriſed by law, there ſhall be built within the United States, ſix ſhips of war, of a ſize to carry, and which ſhall be armed with not leſs than ſeventy-four guns, each; and there ſhall be built or purchaſed within the United States, ſix ſloops of war, of a ſize to carry, and which ſhall be armed with eighteen guns each, or not exceeding that force:—all which ſhips and veſſels ſhall be procured, manned and employed as ſoon as may be, for the ſervice of the United States: And in part of the neceſſary expenditures to be incurred herein, a ſum not exceeding one million of dollars, ſhall be, and is hereby appropriated, and ſhall be paid out of any monies which ſhall be in the treaſury of the United States, not otherwiſe appropriated.

Six ſhips of not leſs than 74 guns, and ſix ſloops of war of 18 guns, to be procured, &c.

One million of dollars appropriated.

Sec. 2. *And be it further enacted,* That the Preſident of the United States ſhall be, and he is hereby authorized to augment, at his diſcretion, the force of any ſhip or veſſel, now in the ſervice, or building for the ſervice of the United States, by allowing an additional number of guns and men therein, beyond

The Preſident may augment the force of the other veſſels.

the eſtabliſhed rate, and according to the reſpective ſize and capacity of ſuch ſhip or veſſel: And a ſum not exceeding thirty-five thouſand dollars, ſhall be, and is hereby appropriated to defray the expenſe of ſuch augmentation, and ſhall be paid out of any monies which ſhall be in the treaſury of the United States, not otherwiſe appropriated.

35,000 dollars appropriated.

Sec. 3. *And be it further enacted*, That the Preſident of the United States ſhall be, and is hereby authorized to place on the naval eſtabliſhment, and employ accordingly, all or any of the veſſels, which, as revenue cutters, have been encreaſed in force, and employed in the defence of the ſea-coaſt, purſuant to the act, intituled "An act providing a naval armament;" and thereupon, the officers and crews of ſuch veſſels, may be allowed, at the diſcretion of the Preſident of the United States, the pay, ſubſiſtence, advantages and compenſations, proportionably to the rates of ſuch veſſels, and ſhall be governed by the rules and diſcipline, which are, or which ſhall be eſtabliſhed for the navy of the United States.

Revenue cutters whoſe force has been increaſed may be placed on the naval eſtabliſhment.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*
TH: JEFFERSON, *Vice Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 25th, 1799.
JOHN ADAMS,
Preſident of the United States.

CHAPTER CXX.

An act allowing James Mathers compenſation for ſervices done for the United States, and expences incurred in rendering ſaid ſervices, as ſerjeant-at-arms to the Senate.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America*,

in Congreſs aſſembled, That the ſum of five hundred and one dollars be, and the ſame is hereby allowed to James Mathers for his ſervices and expences during the receſs of Congreſs as ſerjeant-at-arms to the Senate of the United States, which ſervices were done and expences incurred, by order of the Senate, to be paid out of any unappropriated money in the treaſury of the United States.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 25th, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXI.

An act authorizing the eſtabliſhment of docks.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That two docks, for the convenience of repairing the public ſhips and veſſels be erected in ſuitable places, under the direction of the Preſident of the United States, and that the ſum of fifty thouſand dollars be appropriated towards effecting this object, to be paid out of any monies in the treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 25, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXII.

An act authorizing the purchaſe of timber for naval purpoſes.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That the Preſident of the United States ſhall be, and he is hereby authorized to direct a ſum not exceeding two hundred thouſand dollars, to be paid out of any monies in the treaſury, not otherwiſe appropriated, to be laid out in the purchaſe of growing or other timber, or of lands on which timber is growing, ſuitable for the navy, and to cauſe the proper meaſures to be taken to have the ſame preſerved for the future uſes of the navy.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, February 25, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXIII.

An act to alter the ſtamp duties impoſed upon foreign bills of exchange and bills of lading, by an act, intituled "An act laying duties on ſtamped vellum, parchment and paper;" and further to amend the ſame.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That from and after the thirty-firſt day of March next, the duties impoſed by an act, intituled "An act laying duties on ſtamped vellum, parchment and paper," upon foreign bills of exchange and bills of lading, ſhall ceaſe and de-

Former duty on foreign bills of exchange and bills of lading repealed.

termine; and from and after the ſaid thirty-firſt day of March next, there ſhall be levied and paid throughout the United States, the ſeveral ſtamp duties following, to wit:—On every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which ſhall be written or printed any or either of the inſtruments following, to wit;—Any foreign bill of exchange, draft or order for the payment of money in any foreign country, twenty cents; any note or bill of lading, or writing or receipt in the nature thereof, for any goods or merchandize to be exported, if from one diſtrict to another diſtrict of the United States, not being in the ſame ſtate, four cents; if to be exported to any foreign port or place, ten cents; any policy of aſſurance, or inſtrument in nature thereof, other than thoſe ſpecified in the above recited act, when the ſum, for which inſurance is made, ſhall not exceed five hundred dollars, twenty-five cents; and when the ſum inſured ſhall exceed five hundred dollars, one dollar. And the ſaid duties ſhall be chargeable upon each and every bill of exchange and bill of lading, without reſpect to the number contained in a ſet.

New duties impoſed on foreign bills of exchange, bills of lading, and policies of aſſurance.

Sec. 2. *And be it further enacted*, That from and after the ſaid thirty-firſt day of March, it ſhall not be lawful for any ſupervisor, or other perſon employed for the ſtamping of vellum, parchment or paper, to ſtamp any foreign bill of exchange, draft or order, for the payment of money in any foreign country, after the ſame ſhall be written or drawn. And if any perſon or perſons, from or after the ſaid thirty-firſt day of March, ſhall preſume to write or draw, or cauſe to be written or drawn any ſuch foreign bill, draft or order, or any duplicate or triplicate thereof, before the vel-

Foreign bills of exchange not to be ſtamped after they are drawn

Penalty on writing ſuch bills before they are ſtamped, or ſelling, loaning, &c.

lum, parchment or paper on which the ſame ſhall be drawn, ſhall be duly ſtamped, or ſhall ſell, loan, endorſe or remit any ſuch foreign bill, draft or order, unleſs every duplicate, triplicate, and other bill of the ſame tenor and date, which ſhall be drawn, or intended to be drawn, ſhall be firſt duly ſtamped; then, and in every ſuch caſe, the perſon or perſons ſo offending, ſhall, for each offence, forfeit and pay a ſum not exceeding one hundred dollars, according to the nature and aggravation of the offence.

Penalty on fraudulently writing on old ſtamped inſtruments;

Sec. 3. *And be it further enacted*, That if any perſon or perſons, at any time after the ſaid thirty-firſt day of March next, ſhall knowingly and fraudulently write or engroſs, or cauſe to be written or engroſſed, the whole or any part of any bond, bill, inſtrument, or other writing whatſoever, in reſpect whereof any duty is payable by the acts of Congreſs, or any of them, on the whole or any part of any piece of vellum, parchment or paper whereon there ſhall have been before written any other bond, bill, inſtrument, or other writing, in reſpect whereof any duty was payable by the ſaid acts, or either of them, before ſuch vellum, parchment or paper ſhall have been again marked or ſtamped, according to the ſaid acts; or ſhall fraudulently eraſe or ſcrape out, or cauſe to be eraſed or ſcraped out, the name or names of any perſon or perſons, or any ſum, date or other thing written in ſuch bond, bill, inſtrument or writing, or fraudulently cut, tear or get off, any mark or ſtamp from any piece of vellum, parchment or paper, or part thereof, with intent to uſe ſuch ſtamp or mark for any writing or thing, in reſpect whereof any duty ſhall be payable by virtue of the ſaid acts, or either of them, that then,

or altering them;

or transferring the ſtamps

ſo often, and in every ſuch caſe, every perſon, ſo offending, ſhall, for every ſuch offence, forfeit the ſum of two hundred dollars, and coſts of ſuit.

Penalty on fraudulently writing at a diſtance from the ſtamp.

Sec. 4. *And be it further enacted*, That if any writings, matters and things, in reſpect whereof any of the ſaid duties ſhall be payable, and which ſhall be engroſſed or written, after the ſaid thirty-firſt day of March next, ſhall be written at a diſtance from the ſtamps or marks which ſhall, in purſuance of the ſaid acts, or any of them, be placed on the vellum, parchment or paper, whereupon the ſame ſhall be written or engroſſed, with intent fraudulently to evade the duties impoſed by the ſaid acts, or any of them, the perſon who ſhall write or engroſs, or cauſe to be written or engroſſed any ſuch writing, matter or thing, contrary to the tenor and true meaning hereof, ſhall, for every ſuch offence, forfeit the ſum of one hundred dollars, and full coſts of ſuit.

How the duties impoſed by this act ſhall be collected.

Sec. 5. *And be it further enacted*, That the duties impoſed by this act, ſhall be levied and collected in the ſame manner, and by the ſame perſons, and under the ſame regulations, fines, penalties and forfeitures which are provided in and by the acts of Congreſs now in force, reſpecting the duties on ſtamped vellum, parchment and paper—And the ſaid fines, penalties and forfeitures ſhall be ſued for, and recovered in the ſame manner, and to the ſame uſes, as are provided in the ſaid acts.

Fines, &c.

Exemption of bonds required by the laws of the U. S. or of the individual ſtates in certain caſes.

Sec. 6. *And be it further enacted*, That no duties ſhall be levied or collected upon any bonds required in any caſe by the laws of the United States, or of any ſtate, upon legal proceſs, or in any judicial proceeding, or for the faithful performance of any truſt or duty; any thing in the above recited act to the contrary notwithſtanding.

Sec. 7. *And be it further enacted*, That the ſupervisors ſhall ſeverally be allowed upon all ſtamp duties, and upon all fines accruing thereupon, which ſhall be collected and accounted for by them reſpectively, the commiſſions following, to wit: Upon all duties collected from perſons other than officers of the revenue, and upon all fines, a commiſſion of four per centum;—upon all duties received from officers of the revenue, or which are collected and duly accounted for by ſaid officers, a commiſſion of one per centum; and that the inſpectors of ſurveys, not being alſo ſupervisors, ſhall, ſeverally, be allowed upon all ſtamp duties, and upon all fines accruing thereupon, which ſhall be collected and accounted for by them, reſpectively, a commiſſion of one and an half per centum. And the allowances aforeſaid ſhall extend to the duties and fines which have been heretofore, or may be hereafter collected and accounted for, in manner aforeſaid, in purſuance of the act, intituled "An act laying duties upon ſtamped vellum, parchment and paper," as well as to all duties and fines authorized by this act. Allowances to ſupervisors and inſpectors.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, February 28, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXIV.

An act concerning French citizens that have been, or may be captured and brought into the United States.

BE *it enacted by the Senate and Houſe of Representatives of the United States of America, in Congreſs aſſembled*, That the Preſident

of the United States be, and he hereby is authorized to exchange or ſend away from the United States to the dominions of France, as he may deem proper and expedient, all French citizens that have been or may be captured and brought into the United States, in purſuance of the act, intituled "An act in addition to the act more effectually to protect the commerce and coaſts of the United States."

JONATHAN DAYTON, *Speaker of the House of Repreſentatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, February 28, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXV.

An act for providing compenſation for the marſhals, clerks, attornies, jurors and witneſſes in the courts of the United States, and to repeal certain parts of the acts therein mentioned; and for other purpoſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That from and after the paſſing of this act, the compenſation to the ſeveral officers hereinafter mentioned ſhall be as follows, to wit; to the marſhals of the ſeveral diſtricts of the United States, for the ſervice of any writ, warrant, attachment or proceſs iſſuing out of any courts of the United States, two dollars—and in caſe there be more than one perſon named in the ſaid writ, warrant, attachment or proceſs, then two dollars for each perſon ſo named; for his travel out in ſerving each writ, warrant, attachment or proceſs aforeſaid, fif-

To the marſhals.

cents, per mile, to be computed from the place of ſervice, to the court where the writ or proceſs ſhall be returned; and if more perſons than one are named therein, the travel ſhall be computed from the court to the place of ſervice which ſhall be the moſt remote, adding thereto, the extra travel which ſhall be neceſſary to ſerve it on the other; for each bail bond, fifty cents; for actually ſummoning witneſſes or appraiſors, each fifty cents; for every commitment or diſcharge of a priſoner, fifty cents; for every proclamation in the admiralty, thirty cents; for ſales of veſſels, or other property, and for receiving and paying the money, for any ſum under five hundred dollars, two and one half per cent; for any larger ſum, one and one quarter per cent, upon the exceſs; for ſummoning each grand and other jury, four dollars: *Provided*, That in no caſe ſhall the fees for ſummoning jurors to any one court, exceed fifty dollars; and in thoſe ſtates where jurors, by the laws of the ſtate, are drawn by conſtables, or other officers of corporate towns or places, by lot, the marſhal ſhall receive for the uſe of the officers employed in ſummoning the jurors and returning the venire, the ſum of two dollars, and for his own trouble in diſtributing the venire, the ſum of two dollars; for attending the ſupreme or circuit court, five dollars per day; and for attending the diſtrict court, where ſuch court has the powers and cognizance of a circuit court, five dollars per day; and for attending the diſtrict courts in other caſes, four dollars per day, and at the rate of ten cents per mile, for his travel from the place of his abode to either of the ſaid courts —for all other ſervices, not herein enumerated, except as ſhall be hereafter provided, ſuch

Compenſation to the marſhals.

fees and compenſations as are allowed in the ſupreme court of the ſtate where ſuch ſervices are rendered: And the annual ſum of two hundred dollars as a full compenſation for all extra ſervices, ſhall be allowed to each marſhal for the diſtricts of Tenneſſee, Kentucky, New-Hampſhire, Vermont, and Maine.

Manner of deputy marſhal's taking the oath of office, when he reſides at a diſtance from the diſtrict judge.

Sec. 2. *And be it further enacted*, That when a deputy marſhal, who ſhall be duly appointed by the marſhal of any diſtrict, ſhall reſide and be more than twenty miles from the place where the diſtrict judge of ſuch diſtrict ſhall reſide and be, the oath of office required of ſuch deputy, before he enters on the diſcharge thereof, may be adminiſtered and taken by and before any judge or juſtice of any ſtate court within the ſame diſtrict, or before any juſtice of the peace, having authority therein, and being certified by him, to the ſaid diſtrict judge, ſhall be as effectual as if adminiſtered or taken before ſuch diſtrict judge.

Compenſation for the clerks of the courts of the United States.

Sec. 3. *And be it further enacted*, That the compenſation to the clerk of the ſupreme court of the United States, ſhall be as follows, to wit; for his attendance in court, ten dollars per day, and for his other ſervices, double the fees of the clerk of the ſupreme court of the ſtate in which the ſupreme court of the United States ſhall be holden. To the clerks of circuit and diſtrict courts in each ſtate, reſpectively, the ſame fees as are allowed in the ſupreme court of the ſaid ſtate, with an addition thereto of one-third of ſaid fees, and five dollars per day for his attendance at any circuit or diſtrict court, and at the rate of ten cents per mile for his travel from the place of his abode to either of ſaid courts; and in caſe a clerk of a court of the United States perform any duty which is not

performed by the clerks of the ſtate, and for which the laws of the ſtate make no proviſion, the court in which ſuch ſervice ſhall be performed, ſhall make a reaſonable compenſation therefor. And in all caſes of admiralty juriſdiction, the clerk of the diſtrict court ſhall be allowed the ſame fees as are preſcribed by the ſecond ſection of an act, paſſed the firſt day of March, one thouſand ſeven hundred and ninety-three, intituled "An act to aſcertain the fees in admiralty proceedings in the diſtrict courts of the United States; and for other purpoſes.

Compenſation for the diſtrict attornies.

Sec. 4. *And be it further enacted*, That the compenſation to the attornies of the reſpective diſtricts of the United States, ſhall be as follows, to wit: for each day which any ſuch attorney ſhall neceſſarily attend on buſineſs of the United States, during the ſeſſion of any diſtrict or circuit court, five dollars; for travelling from the place of his abode to ſuch court, ten cents per mile; and ſuch fees in each ſtate, reſpectively, as are allowed in the ſupreme court thereof; and in the diſtrict courts, his ſtated fees in the caſes herein mentioned, ſhall be as follows, to wit: for drawing interrogatories, five dollars; for drawing and exhibiting libel, claim, or anſwer, ſix dollars; and for all other ſervices in any one cauſe, ſix dollars. And the annual ſum of two hundred dollars, as a full compenſation for all extra ſervices, ſhall be allowed and paid by the United States, to each diſtrict attorney for the diſtricts of Maine, New-Hampſhire, Vermont, Rhode-Iſland, Connecticut, New-Jerſey, Delaware, Virginia, North-Carolina, Georgia, Kentucky and Tenneſſee.

Compenſation to the attorney of

Sec. 5. *And be it further enacted*, That for all ſervices in criminal caſes performed by the attorney for the diſtrict of Virginia, and for

the Virginia district in criminal cases.

which no fees are allowed by law for similar services in the courts of that state, he shall be allowed such sum or sums as the court in which the same is rendered, shall consider a reasonable compensation therefor.

Compensation to jurors & witnesses.

Sec. 6. *And be it further enacted*, That the compensation to jurors and witnesses, in the courts of the United States, shall be as follows, to wit: to each grand and other juror, for each day he shall attend in court, one dollar and twenty-five cents; and for travelling, at the rate of five cents per mile, from their respective places of abode, to the place where the court is holden, and the like allowance for returning; to the witnesses summoned in any court of the United States, the same allowance as is above provided for jurors.

Cryers and persons to attend the courts.

Sec. 7. *And be it further enacted*, That the respective courts of the United States, shall appoint cryers for their courts, to be allowed the sum of two dollars per day; and that the marshals be, and they are hereby authorized to appoint such a number of persons, not exceeding three, as the judges of their respective courts shall determine, to attend upon the grand and other jurors, and for other necessary purposes, who shall be allowed for their services, the sum of two dollars per day, to be paid by, and included in the accounts of the marshal, out of any money of the United States in his hands.

Informers to be alone liable for the fees to the clerks, &c.

Sec. 8. *And be it further enacted*, That if any informer on a penal statute, and to whom the penalty, or any part thereof, if recovered, is directed to accrue, shall discontinue his suit, or prosecution, or shall be non-suited in the same, or if, upon trial, judgment shall be rendered in favour of the defendant, unless such informer be an officer of the United States, he shall be alone liable to the clerks, marshals,

and attornies for the fees of such prosecution; but if such informer be an officer whose duty it is to commence such prosecution, and the court shall certify there was reasonable ground for the same, then the United States shall be responsible for such fees. Exception.

Sec. 9. *And be it further enacted*, That the third section of an act, passed on the eighth day of May, one thousand seven hundred and ninety-two, intituled "An act for regulating process in the courts of the United States, and for providing compensations for the officers of said courts, and for jurors and witnesses,"—And the second section of an act passed on the first day of June, one thousand seven hundred and ninety-six, intituled "An act making an appropriation to satisfy certain demands attending the late insurrection, and to increase the compensations to jurors and witnesses in the courts of the United States," be, and they are hereby repealed. Parts of former acts repealed.

JONATHAN DAYTON, *Speaker of the House of Representatives.*
TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*
APPROVED, February 28, 1799.
JOHN ADAMS,
President of the United States.

CHAPTER CXXVI.

An act to amend the act, intituled "An act to provide for the valuation of lands and dwelling houses, and the enumeration of slaves within the United States."

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That so much of the act, intituled "An act to provide for the valuation of lands and dwelling houses, Part of the former act repealed.

and the enumeration of ſlaves within the United States," as requires that the liſts to be delivered in purſuance of the ninth ſection thereof, ſhall ſpecify, in reſpect to dwelling houſes, "the number and dimenſions of their windows," ſhall be, and hereby is repealed.

Amendments of the former act reſpecting the time of returning liſts and reſpecting appeals.

Sec. 2. *And be it further enacted*, That the commiſſioners under the ſaid act, for each ſtate, reſpectively, ſhall be, and hereby are authorized to extend the time thereby allowed for receiving appeals by the principal aſſeſſors, and alſo the time ſo allowed for returning liſts by the aſſiſtant aſſeſſors in all caſes where the ſaid commiſſioners ſhall deem ſuch extenſion neceſſary, and for ſuch time as they ſhall think expedient, and that ſo much of the twentieth ſection of the above mentioned act, as requires all appeals to be made in writing, be, and it is hereby repealed.

Compenſations to aſſeſſors may be augmented.

Sec. 3. *And be it further enacted*, That the Secretary of the Treaſury ſhall be, and hereby is authorized and empowered, under the direction of the Preſident of the United States, to augment, in caſes where he may find it neceſſary, the compenſations fixed for principal and aſſiſtant aſſeſſors, by ſaid act, ſo, however, as that no principal or aſſiſtant aſſeſſor ſhall, in any caſe, receive more than two dollars per day, which additional compenſations ſhall be ſubject to the ſame rules of ſettlement as are eſtabliſhed by the aforeſaid act reſpecting the compenſations therein fixed for principal and aſſiſtant aſſeſſors.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

TH: JEFFERSON, *Vice-Preſident of the United States, and Preſident of the Senate.*

APPROVED, February 28, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXVII.

An act altering the time of holding the district court in Vermont.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the session of the district court for the district of Vermont, by law appointed to be holden at Rutland in said district on the first Monday of May annually, shall hereafter be holden at Rutland in said district on the second Monday of May annually.

Sec. 2. *And be it further enacted,* That all process which shall have been issued, and all recognizances returnable, and all suits and other proceedings which have been continued to the said district court on the first Monday of May next, shall be returned and held continued to the said court on the second Monday of May next.

JONATHAN DAYTON, *Speaker of the House of Representatives.*
TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*
APPROVED, February 28, 1799.
JOHN ADAMS.
President of the United States.

CHAPTER CXXVIII.

An act to regulate the collection of duties on imports and tonnage.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the state of New-Hampshire shall be one district, to be called the district of Portsmouth, of which the town of Portsmouth shall be the sole port of entry, and the towns of New-Castle, Dover and

Districts and ports in New-Hampshire.

Exeter, ports of delivery only; but all ships or veſſels, bound to or from either of the ſaid ports of delivery, ſhall firſt come to, enter and clear at Portſmouth; and a collector, naval officer and ſurveyor for the ſaid diſtrict, ſhall be appointed to reſide at Portſmouth; and the authority of the officers of the ſaid diſtrict ſhall, for the purpoſes of this act, extend to the northern boundary line of the ſaid ſtate, of New-Hampſhire, adjoining to the Britiſh colony of Lower Canada.

Diſtricts and ports in Maſſachuſetts.

Sec. 2. *And be it further enacted*, That in the ſtate of Maſſachuſetts there ſhall be twenty-two diſtricts and ports of entry, to wit: Newburyport, Ipſwich, Glouceſter, Salem and Beverly, as one; Marblehead, Boſton and Charleſtown, as one; Plymouth, Barnſtable, Nantucket, Edgartown, New-Bedford, Dighton, York, Biddeford and Pepperelborough, as one; Portland and Falmouth, as one; Bath, Wiſcaſſet, Penobſcot, Frenchman's Bay, Machias, Paſſamaquody and Waldoborough.

To the diſtrict of Newbury-port, ſhall be annexed the ſeveral towns or landing places of Almſbury, Saliſbury, Haverhill and Newbury, which ſhall be ports of delivery only; and a collector, naval officer, and ſurveyor for the diſtrict ſhall be appointed, to reſide at Newbury-port.

To the diſtrict of Glouceſter ſhall be annexed the town of Mancheſter, as a port of delivery only; and a collector and ſurveyor ſhall be appointed for the diſtrict, to reſide at Glouceſter.

To the diſtrict of Salem and Beverly ſhall be annexed the town or landing place of Danvers, as a port of delivery only; and a collector, naval officer and ſurveyor, for the diſtrict, ſhall be appointed, to reſide at Salem, and a ſurveyor, to reſide at the town of Beverly.

To the diſtrict of Marblehead ſhall be annexed the town of Lynn, as a port of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Marblehead. Diſtricts and ports in Maſſachuſetts.

To the diſtrict of Boſton and Charleſtown ſhall be annexed the towns or landing places of Medford, Cohaſſet, Hingham and Weymouth, as ports of delivery only; and a collector, naval officer and ſurveyor for the diſtrict, ſhall be appointed, to reſide at Boſton.

To the diſtrict of Plymouth ſhall be annexed the ſeveral towns or landing places of Scituate, Duxbury and Kingſton, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Plymouth.

To the diſtrict of Barnſtable ſhall be annexed the ſeveral towns or landing places of Sandwich, Falmouth, Hardwich, Wellfleet, Provincetown and Chatham, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Barnſtable.

In the diſtrict of Nantucket, the port of Nantucket ſhall be the ſole port of entry and delivery; and a collector for the diſtrict ſhall be appointed, to reſide at Nantucket.

In the diſtrict of Edgartown, a collector for the diſtrict ſhall be appointed, to reſide at Edgartown.

To the diſtrict of New-Bedford ſhall be annexed Weſtport, Rocheſter and Wareham, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at New-Bedford.

To the diſtrict of Dighton ſhall be annexed Swanſey, Somerſet, Freetown, Berkeley and Taunton, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Dighton.

To the diſtrict of York ſhall be annexed Kittery and Berwick, as ports of delivery only;

Diſtricts and ports in Maſſachuſetts.

and a collector for the diſtrict ſhall be appointed, to reſide at York.

To the diſtrict of Biddeford and Pepperelborough ſhall be annexed Scarborough, Wells, Kennebunk and Cape Porpoiſe, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Biddeford.

To the diſtrict of Portland and Falmouth ſhall be annexed North Yarmouth, Brunſwick, Freeport and Harpſwell, as ports of delivery only; and a collector and ſurveyor ſhall be appointed for the diſtrict, to reſide at Portland.

To the diſtrict of Bath ſhall be annexed Hallowell, Pittſtown, Topſham, Georgetown and Brunſwick, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Bath.

To the diſtrict of Wiſcaſſet ſhall be annexed the town of Boothbay, as a port of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Wiſcaſſet.

To the diſtrict of Penobſcot ſhall be annexed Frankfort, Bluehill, Hampden and Deer-Iſland, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Caſtine; which ſhall be the port of entry for the ſaid diſtrict.

To the diſtrict of Frenchman's Bay ſhall be annexed Union River, as a port of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Frenchman's Bay.

For each of the diſtricts of Machias and Paſſamaquody, ſhall be appointed a collector, to reſide at the ſaid ports of Machias and Paſſamaquody reſpectively.

To the diſtrict of Waldoborough ſhall be annexed the towns of Briſtol, Nobleborough, Warren, Thomaſton, Cuſhing and Cambden; alſo that part of a place called Ducktrap,

which lies between the towns of Cambden and Northport, as ports of delivery only; and a collector for the district shall be appointed, to reside at Waldoborough, and a surveyor, to reside at Thomaston. Districts and ports in Massachusetts.

The district of Ipswich shall include the town of Ipswich, as a port of entry only; and a collector for the district shall be appointed, to reside at Ipswich.

The district of Newburyport shall include all the waters and shores from the state of New-Hampshire to the north line of Ipswich.

The district of Glouceſter shall include all the waters and shores in the towns of Glouceſter and Mancheſter.

The district of Salem and Beverly shall include all the shores and waters within the towns of Beverly, Salem and Danvers.

The district of Marblehead shall include all the waters and shores within the towns of Marblehead and Lynn.

The district of Boston and Charleſtown shall include all the waters and shores within the counties of Middleſex, Suffolk and Norfolk.

The district of Plymouth shall include all the waters and shores within the county of Plymouth, excepting the town of Wareham and Rocheſter.

The district of Barnſtable shall include all the waters and shores within the county of Barnſtable.

The district of Nantucket shall include the island of Nantucket.

The district of Edgartown shall include all the waters and shores within the county of Duke's county.

The district of New-Bedford shall include all the waters and shores within the towns of New-Bedford, Dartmouth, Weſtport, Rocheſter and Wareham, together with all the islands within the county of Briſtol.

Diſtricts and ports in Maſſachuſetts.

The diſtrict of Dighton ſhall include all the waters and ſhores on Taunton river, and in the town of Rehoboth.

The diſtrict of Waldoborough ſhall include all the waters and ſhores from the middle of Damaraſcotty river, to the ſouthwardly ſide of the town of Northport.

The collectors of the ſeveral diſtricts within that part of the ſtate of Maſſachuſetts, eaſtward of New-Hampſhire, ſhall, from time to time, agree upon a diviſional line between their reſpective diſtricts, and tranſmit the ſame to the Comptroller of the Treaſury; and ſuch diſtricts ſo agreed upon, ſhall include all the waters, ſhores and iſlands within the ſame, and all the lands adjoining to the Britiſh colonies of New-Brunſwick and Lower Canada, within the eaſtern part of the ſtate of Maſſachuſetts aforeſaid. And in caſe of diſagreement between any of the ſaid collectors, concerning ſuch diviſional line, the Preſident of the United States ſhall determine the ſame.

Diſtricts and ports in Rhode-Iſland.

Sec. 3. *And be it further enacted*, That in the ſtate of Rhode-Iſland and Providence Plantations, there ſhall be two diſtricts, to wit; the diſtrict of Newport, and the diſtrict of Providence. The diſtrict of Newport ſhall comprehend all the waters, ſhores, bays, harbours, creeks, and inlets, from the weſt line of the ſaid ſtate, along the ſea coaſt; and northward, up the Narraganſet bay, as far as the moſt ſoutherly part of Warwick Neck, and from thence nearly a north eaſt courſe, to the ſouth end of Rumſtick Point, at high water mark, and ſhall include the ſeveral towns, harbours, and landing places at Weſterly, Charleſton, South-Kingſton, North-Kingſton, Eaſt-Greenwich, and all that part of Warwick ſouthward of Warwick Neck, and alſo the towns, harbours, and landing places of Bar-

rington, Warren, Briſtol, Tiverton, Little-Compton, and all the towns, harbours, and landing places of the iſland of Rhode-Iſland, James-Town, Prudence, New-Shoreham, and every other iſland and place within the ſaid ſtate, ſouthward of Warwick Neck and Rumſtick Point. Diſtricts and ports in Rhode-Iſland.

The diſtrict of Providence ſhall comprehend all the waters, ſhores, bays, harbours, creeks and inlets, within the ſtate of Rhode-Iſland, northward of a line running nearly a north eaſt courſe from the ſouth end of Warwick Neck to the ſouth end of Rumſtick Point at high water mark, including only the waters bounded by the eaſt and weſt ſhores of ſaid Rumſtick Point and Warwick Neck, leading up the bay of the port of Providence. The town of Newport ſhall be the ſole port of entry in the ſaid diſtrict of Newport; and a collector, naval officer and ſurveyor for the diſtrict ſhall be appointed, to reſide at the ſaid town of Newport: and North Kingſtown, Eaſt Greenwich, Barrington, Warren, Briſtol and Pawcatuck river in Weſterly, ſhall be ports of delivery only; and a ſurveyor ſhall be appointed, to reſide at each of the ports of North Kingſton, Eaſt Greenwich, Warren, Briſtol and Pawcatuck river; and the ſurveyor to reſide at Warren ſhall be ſurveyor for the port of Barrington. The town of Providence ſhall be the ſole port of entry, in the ſaid diſtrict of Providence; and Patuxet in the ſame diſtrict ſhall be a port of delivery only; and a collector, naval officer and ſurveyor ſhall be appointed, to reſide at Providence; and a ſurveyor ſhall be appointed, to reſide at Patuxet.

Sec. 4. *And be it further enacted*, That in the ſtate of Connecticut there ſhall be four diſtricts, to wit; New-London, New-Haven, Fairfield and Middletown. The diſtrict of New- Diſtricts and ports in Connecticut.

Diſtricts and ports in Connecticut.

London ſhall extend from the eaſt line of the ſaid ſtate of Connecticut to the eaſt line of the town of Lyme, and ſhall include the ſeveral towns or landing places of Norwich, Stonington and Groton, as ports of delivery only; and New-London to be the ſole port of entry; and a collector and ſurveyor for the diſtrict ſhall be appointed, to reſide at New-London; and a ſurveyor, to reſide at Stonington.

The diſtrict of New-Haven ſhall extend from the weſt line of the diſtrict of New-London, weſterly to Oufatumnick river, to which ſhall be annexed the ſeveral towns, or landing places of Guildford, Branford, Milford and Derby, as ports of delivery only; and New-Haven ſhall be the ſole port of entry; and a collector and ſurveyor for the diſtrict ſhall be appointed, to reſide at New-Haven.

The diſtricts of Fairfield ſhall include all the ports and places in the ſaid ſtate of Connecticut weſt of the diſtrict of New-Haven, to which ſhall be annexed the ſeveral towns or landing places of Norwalk, Stratford, Stamford and Greenwich, as ports of delivery only; Fairfield ſhall be the ſole port of entry; and a collector for the diſtrict ſhall be appointed, to reſide at Fairfield.

The diſtrict of Middletown ſhall include the ſeveral towns and landing places of Lyme, Saybrook, Killingſworth, Haddam, Eaſt Haddam, Middletown, Chatham, Weathersfield, Glaſtenbury, Hartford, Eaſt Hartford, Windſor and Eaſt Windſor, of which Middletown ſhall be the ſole port of entry; and the other towns and landing places before named, ſhall be ports of delivery only; and a collector and ſurveyor ſhall be appointed, to reſide at Middletown; and a ſurveyor ſhall be appointed, to reſide at Hartford, and another to reſide at Saybrook.

Sec. 5. *And be it further enacted*, That in the ſtate of New-York, there ſhall be ſix diſtricts, to wit; Sagg Harbour on Naſſau or Long Iſland, the city of New-York, the city of Hudſon, Champlain, Oſwego and Niagara. Diſtricts and ports in New-York.

The diſtrict of Sagg Harbour ſhall include all the bays, harbours, rivers and ſhores, within the two points of land which are called Oyſter Pond point, and Mantauck point; and a collector for the diſtrict ſhall be appointed, to reſide at Sagg Harbour, which ſhall be the only port of entry and delivery in the ſaid diſtrict.

The diſtrict of the city of New-York, ſhall include all ſuch part of the coaſts, rivers, bays and harbours of the ſaid ſtate as are not included in other diſtricts of the ſaid ſtate, eſpecially the ſeveral towns or landing places of New Windſor, Newburgh, Poughkeepſie, Eſopus, Kinderhook and Albany, as ports of delivery only; and a collector, naval officer and ſurveyor for the diſtricts ſhall be appointed, to reſide at New-York, which ſhall be the ſole port of entry for the diſtrict; and a ſurveyor, at the city of Albany: and the Preſident of the United States is authoriſed if he judge it expedient, to appoint one other ſurveyor, to reſide at ſuch other place in the ſaid diſtrict as he ſhall appoint.

The diſtrict of Hudſon ſhall include all the waters and ſhores of the ſaid city; and a collector ſhall be appointed for the ſaid diſtrict, to reſide at the ſaid city of Hudſon, which ſhall be the ſole port of entry and delivery.

The diſtrict of Champlain ſhall include all ſuch ſhores and waters of lake Champlain, and the rivers connected therewith, as lie within the ſaid ſtate of New-York; and the ſaid diſtrict ſhall extend weſtwardly along the northern boundary line of the ſaid ſtate,

Diſtricts and ports in New-York.

unto the place where ſaid line is bounded by the river St. Laurence; and the Preſident of the United States is hereby authoriſed to appoint ſuch place within the ſaid diſtrict to be a port of entry and delivery, as he ſhall judge expedient; and a collector ſhall be appointed, to reſide at the port of entry which may be eſtabliſhed within the ſaid diſtrict; and the Preſident is alſo authoriſed, if he ſhall judge proper, to appoint, not exceeding two ſurveyors, to reſide at ſuch place as he may judge expedient to conſtitute ports of delivery only.

The diſtrict of Oſwego ſhall include all the ſhores, and waters of the river St. Laurence, from the place where ſaid river is interſected by the forty-fifth degree of northern latitude, and all the ſhores and waters of Lake Ontario, and the rivers and waters connected therewith, lying within the juriſdiction of the United States, and within the ſtate of New-York, to the eaſtward of the weſt bank of Genneſſee river; and a collector ſhall be appointed, who ſhall reſide at or near Oſwego, at ſuch place as the Preſident of the United States ſhall appoint to be the port of entry for the diſtrict; and the Preſident of the United States is authoriſed to appoint not exceeding three ſurveyors, to reſide at ſuch places within the ſaid diſtrict, as he ſhall judge proper, and to conſtitute each or either of ſuch places to be ports of delivery only.

The diſtrict of Niagara ſhall include all the ſhores and waters of Lake Ontario and Lake Erie, and the rivers connected therewith, lying within the juriſdiction of the United States, and within the ſtate of New-York, to the weſtward of the weſt bank of Genneſſee river; and a collector ſhall be appointed who ſhall reſide at Niagara, which ſhall be the ſole port of

entry for the diſtrict; and the Preſident of the United States is authoriſed to appoint, not exceeding two ſurveyors, to reſide at ſuch places within the ſaid diſtrict, as he ſhall judge proper, and to conſtitute each or either of ſuch places to be ports of delivery only.

Diſtricts & ports in Vermont.

Sec. 6. *And be it further enacted*, That the ſtate of Vermont ſhall conſtitute one diſtrict, which ſhall include all ſuch ſhores and waters of Lake Champlain, and the rivers connected therewith, as lie within the ſaid ſtate, and ſhall alſo extend along the northern boundary line of the ſaid ſtate, adjoining to the Britiſh colony of Lower Canada; and the Preſident of the United States is authoriſed to appoint ſuch place within the ſaid diſtrict, to be the ſole port of entry, as he ſhall judge proper; and a collector ſhall be appointed to reſide thereat; and the Preſident of the United States is alſo authoriſed, if he judge it expedient, to eſtabliſh not exceeding two places as ports of delivery only, and to appoint ſurveyors for each, or either of ſaid places, at his diſcretion: *Provided neverthelefs*, That the Preſident of the United States may, whenever he ſhall judge it expedient, and for the intereſt of the United States, erect the northern boundary line of the ſaid ſtate, adjoining the Britiſh colony of Lower Canada, or ſo much thereof, as he may think proper, into a ſeparate diſtrict, and appoint a collector, to reſide at ſuch port of entry and delivery, as may be eſtabliſhed by the Preſident within the ſame.

Diſtricts & ports in New-Jerſey.

Sec. 7. *And be it further enacted*, That in the ſtate of New-Jerſey, there ſhall be five diſtricts, to wit: Perth Amboy, Burlington, Bridgetown, Great Egg-Harbour and Little Egg-Harbour, which ſhall ſeverally be ports of entry. The diſtrict of Perth Amboy ſhall comprehend all that part of the ſtate of New-Jerſey, known by the name of Eaſt New-Jerſey (that part excepted

Diſtricts & ports in New-Jerſey.

which is hereafter included in the diſtrict of Little Egg-Harbour) together with all the waters thereof, heretofore within the juriſdiction of the ſaid ſtate; in which diſtrict the towns, or landing places of New-Brunſwick, Middletown Point, Elizabeth Town and Newark, ſhall be ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Perth-Amboy, and a ſurveyor, to reſide at New-Brunſwick.

The diſtrict of Burlington ſhall comprehend that part of the ſaid ſtate known by the name of Weſt New-Jerſey, which lies to the eaſtward and northward of the county of Glouceſter, with all the waters thereof heretofore within the juriſdiction of the ſaid ſtate, in which diſtrict the landing place of Lamberton ſhall be a port of delivery only, and a collector ſhall be appointed for the diſtrict, to reſide at Burlington, which ſhall be the port of entry for the diſtrict.

The diſtrict of Bridgetown ſhall comprehend the counties of Glouceſter, Salem, Cumberland and Cape May (ſuch parts of the county of Glouceſter and Cape May, as ſhall be hereinafter included in the diſtrict of Great Egg-Harbour excepted) and all the waters thereof heretofore within the juriſdiction of the ſaid ſtate; and the town of Salem and Port Elizabeth on Maurice river ſhall be ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Bridgetown, which ſhall be the port of entry for the diſtrict.

The diſtrict of Great Egg-Harbour ſhall comprehend the river of Great Egg-Harbour, together with all the inlets, bays, ſounds, rivers and creeks, along the ſea coaſt, from Brigantine Inlet to Cape May; and a collector for the diſtrict ſhall be appointed, to reſide at Somers-point, on the ſaid river of Great Egg-Harbour.

The diſtrict of Little Egg-Harbour ſhall com-

prehend all the ſhores, waters, bays, rivers and creeks from Barnegat Inlet, to Brigantine Inlet, both incluſively; and the town of Tuckerton ſhall be the ſole port of entry for the ſaid diſtrict; and a collector for the ſame ſhall be appointed, to reſide at Tuckerton.

Diſtricts & ports in Pennſylvania.

Sec. 8. *And be it further enacted*, That in the ſtate of Pennſylvania, there ſhall be two diſtricts, to wit: Philadelphia, and Preſque-Iſle; the diſtrict of Philadelphia ſhall include all the ſhores and waters of the river Delaware, and the rivers and waters connected therewith, lying within the ſtate of Pennſylvania; and the city of Philadelphia ſhall be the ſole port of entry and delivery for the ſame; and a collector, naval officer and ſurveyor for the diſtrict ſhall be appointed, who ſhall reſide at the city of Philadelphia.

The diſtrict of Perſque-Iſle ſhall include all the ſhores and waters of Lake Erie, and the rivers and waters connected therewith, lying within the juriſdiction of the United States and the ſtate of Pennſylvania; and a collector for the ſaid diſtrict ſhall be appointed, who ſhall reſide at Preſque-Iſle.

Diſtricts & ports in Delaware.

Sec. 9. *And be it further enacted*, That the ſtate of Delaware ſhall be one diſtrict, and the borough of Wilmington ſhall be the only port of entry, to which ſhall be annexed, New-Caſtle and Port Penn, as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at the ſaid port of Wilmington.

Diſtricts & ports in Maryland.

Sec. 10. *And be it further enacted*, That in the ſtate of Maryland there ſhall be ten diſtricts, to wit: Baltimore, Cheſter, Oxford, Vienna, Snowhill, Annapolis, Nottingham, Nanjemoy, Georgetown and Havre-de-Grace.

The diſtrict of Baltimore ſhall include Patapſco river, Turkey Point, Spes Utiæ Iſland, and all the waters and ſhores on the weſt ſide

Diſtricts and ports in Maryland.

of Cheſapeake Bay, from the mouth of Magetty river, which ſhall not be included in the diſtrict of Havre-de-Grace; and a collector, naval officer and ſurveyor for the diſtrict ſhall be appointed, to reſide at Baltimore, which ſhall be the ſole port of entry.

The diſtrict of Cheſter ſhall include Cheſter river, and all the waters and ſhores on the eaſtern ſide of Cheſapeake Bay, from the ſouth ſide of Elk river, to the north ſide of the Eaſtern Bay, and Wye river, incluſive; in which Georgetown on Saſſafras river, ſhall be a port of delivery only, and a collector for the diſtrict ſhall be appointed, to reſide at Cheſter, which ſhall be the ſole port of entry.

The diſtrict of Oxford ſhall include all the waters and ſhores on the eaſtern ſide of Cheſapeake Bay, from the north ſide of Wye river, and the Eaſtern bay, to the ſouth ſide of Great Choptank river, incluſive; and Cambridge ſhall be a port of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Oxford, which ſhall be the ſole port of entry.

The diſtrict of Vienna ſhall include all the waters and ſhores on the eaſtern ſide of Cheſapeake Bay from the ſouth ſide of Great Choptank river, to the ſouth ſide of Hooper's Streights, Hayne's Point, and Wicomico river, incluſive; and Saliſbury ſhall be a port of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Vienna, which ſhall be the ſole port of entry.

The diſtrict of Snowhill ſhall include all the waters and ſhores on the ſea coaſt, from the north line of Virginia, to the ſouth line of Delaware, together with all the waters and ſhores on the eaſtern ſide of Cheſapeake Bay, from the ſouth ſide of Wicomico river to the ſouth ſide of Pocomoke river, incluſive, ſo far as the juriſdiction of the ſaid ſtate of Maryland extends;

to which Sinnipuxent ſhall be a port of delivery for Weſt-India produce only; and a collector for the diſtrict ſhall be appointed, to reſide at Snowhill, which ſhall be the ſole port of entry. Diſtricts and ports in Maryland.

The diſtrict of Annapolis ſhall include Magetty river, and all the waters and ſhores from thence to Drum Point on Patuxent river; and a collector for the diſtrict ſhall be appointed, to reſide at Annapolis, which ſhall be the ſole port of entry and delivery for the ſame.

The diſtrict of Nottingham ſhall include all the waters and ſhores on the weſt ſide of Cheſapeake Bay, to Drum Point, on the river Patuxent, together with the ſaid river, and all the navigable waters emptying into the ſame, to which Benedick, Lower Marlborough, Town Creek, and Sylvey's Landing, ſhall be annexed as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Nottingham, and a ſurveyor at Town Creek; and Nottingham ſhall be the ſole port of entry.

The diſtrict of Nanjemoy ſhall include all the waters of the Potowmack within the juriſdiction of the ſtate of Maryland, from Point-look-out to Pomonky Creek incluſive, to which Cedar Point, Saint Mary's and Lewellenſburgh ſhall be annexed as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Nanjemoy; alſo a ſurveyor, to reſide at each of the towns of St. Mary's and Lewellenſburgh; and Nanjemoy ſhall be the ſole port of entry.

The diſtrict of Georgetown ſhall include all the waters and ſhores from Pomonky Creek on the north ſide of Potowmack river, to the head of the navigable waters of the ſaid river, within the juriſdiction of the ſtate of Maryland, to which Digges's Landing and Carrolſburgh ſhall be annexed as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to

reſide at Georgetown, which ſhall be the ſole port of entry.

The diſtrict of Havre-de-Grace ſhall include all the waters and ſhores of the Cheſapeake Bay, above Turkey Point and Spes Utiæ Iſland to the ſouth ſide of Elk river, incluſive, and a collector for the diſtrict ſhall be appointed, to reſide at Havre-de-Grace, which ſhall be the ſole port of entry for the ſame.

Diſtricts and ports in Virginia.

Sec. 11. *And be it further enacted*, That in the ſtate of Virginia there ſhall be eleven diſtricts, to wit: Hampton, as one port, Norfolk and Portſmouth, as one port, Bermuda Hundred and City Point, as one port, York-town, Tappahannock, Yeocomico river, including Kinſale, Dumfries, including Newport Alexandria, Folly Landing, Cherry-ſtone and South Quay. The authority of the officers at Hampton ſhall extend over all the waters, ſhores, bays, harbours and inlets between the ſouth ſide of the mouth of York river, along the weſt ſhore of Cheſapeake Bay, to Hampton, and thence up the northern ſide of James river, to the eaſt ſide of Chickahominy river; and a collector for the diſtrict ſhall be appointed, to reſide at Hampton, which ſhall be the ſole port of entry.

To the diſtrict of Norfolk and Portſmouth ſhall be annexed Suffolk and Smithfield as ports of delivery only; and the authority of the officers of the diſtrict ſhall extend over all the waters, ſhores, bays, harbours and inlets, comprehended within a line drawn from Cape Henry to the mouth of James river, and thence up the ſouth ſide of James river to Hood's, incluſively, and up Elizabeth river to the higheſt tide water thereof; and Norfolk and Portſmouth ſhall be the ſole port of entry; and a collector, naval officer and ſurveyor for the diſtrict ſhall be appointed, to reſide at Norfolk; alſo a ſurveyor, to reſide at each of the ports of Suffolk and Smithfield.

To the diſtrict of Bermuda Hundred, or City Point, ſhall be annexed Richmond, Peterſburgh and Mancheſter, as ports of delivery only; and a collector and ſurveyor ſhall be appointed for the ſaid diſtrict, to reſide at Bermuda Hundred, or City Point, which ſhall be the ſole port of entry; alſo a ſurveyor for Peterſburgh, to reſide thereat; and a ſurveyor for Richmond and Mancheſter to reſide at Richmond; and the authority of the officers of the ſaid diſtrict ſhall extend over all the waters, ſhores, bays, harbours and inlets, comprehended between Hood's, on the ſouthern ſide of James river, and the higheſt tide water on James and Appamatox rivers, and on the northern ſide of James river from the higheſt tide water to the eaſtern bank of Chickahominy river. Diſtricts and ports in Virginia.

To the diſtrict of York-town ſhall be annexed Weſt-Point and Cumberland as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at York-town, which ſhall be the ſole port of entry; alſo a ſurveyor for the two ports of delivery, to reſide at Weſt-Point; and the authority of the officers of the ſaid diſtrict ſhall extend over all the waters, ſhores, bays, harbours and inlets comprehended between the point forming the ſouth ſhore of the mouth of Rappahannock river, and the point forming the ſouth ſhore of the mouth of York river, and thence up the ſaid river to Weſt-Point, and thence up Pamunkey and Mattapony rivers to the higheſt navigable waters thereof.

To the diſtrict of Tappahannock ſhall be annexed Urbanna, Port-Royal, and Frederickſburgh, (including Falmouth) as ports of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Tappahannock, which ſhall be the ſole port of entry; alſo a ſurveyor for each of the ports of Urbanna, Port-Royal,

Diſtricts and ports in Virginia.

and Frederickſburgh; and the authority of the officers of the ſaid diſtrict ſhall extend over all the waters, ſhores, harbours, bays and inlets, comprehended between Smith's-Point at the mouth of the Potowmack river, and the point forming the ſouth ſhore of the mouth of Rappahannock river, and thence up the laſt mentioned river to the higheſt tide water thereof.

The diſtrict of Yeocomico River, including Kinſale, ſhall extend from Smith's-Point, on the ſouth ſide of Potowmac river, to Boyd's Hole, on the ſame river, including all the waters, ſhores, bays, harbours, creeks and inlets, along the ſouth ſhore of Potowmac river to Boyd's Hole aforeſaid; and Yeocomico, including Kinſale, ſhall be the ſole port of entry; and a collector for the diſtrict ſhall be appointed, to reſide on Yeocomico river.

The diſtrict of Dumfries, including Newport, ſhall extend from Boyd's Hole to Cockpit Point, on the ſouth ſide of Potowmack river; and a collector for the diſtrict ſhall be appointed, to reſide at Dumfries, which ſhall be the ſole port of entry; and the authority of the officers of this diſtrict ſhall extend over all the waters, ſhores, bays, harbours, creeks and inlets comprehended between Boyd's Hole and Cockpit Point aforeſaid.

For the diſtrict of Alexandria mall be appointed a collector and ſurveyor, to reſide at Alexandria, which ſhall be the ſole port of entry; and the authority of the officers of the ſaid diſtrict ſhall extend over all the waters, ſhores, bays, harbours, creeks and inlets on the ſouth ſide of the river Potowmac, from the laſt mentioned Cockpit Point to the higheſt tide water of the ſaid river.

For the diſtrict of Folly Landing ſhall be appointed a collector, who ſhall reſide at Accomack Court-Houſe, and whoſe authority ſhall

extend over all the waters, ſhores, bays, harbours and inlets of the county of Accomack. Diſtricts and ports in Virginia.

For the diſtrict of Cherryſtone ſhall be appointed a collector, to reſide at Cherryſtone, whoſe authority ſhall extend over all the waters, ſhores, bays, harbours and inlets comprehended within Northampton county.

For the diſtrict of South Quay a collector ſhall be appointed, to reſide thereat, whoſe authority ſhall extend over all the waters, ſhores, bays, harbours and inlets in that part of the ſtate of Virginia to the ſouthward of the diſtrict of Norfolk, and not included in the ſaid diſtrict, comprehended within the limits of the ſaid ſtate.

Sec. 12. *And be it further enacted*, That in the ſtate of North-Carolina there ſhall be five diſtricts, to wit: One, to be called the diſtrict of Wilmington, and to comprehend all the waters, ſhores, bays, harbours, creeks and inlets from Little River inlet incluſive, to New River inlet incluſive. The town of Wilmington ſhall be a port of entry and delivery, and there ſhall be a collector, naval officer and ſurveyor, to reſide at the ſaid town of Wilmington: Another diſtrict, to be called the diſtrict of Newbern, which ſhall comprehend all the waters, ſhores, bays, harbours, creeks and inlets, from New River inlet, incluſive, to Ocracoke inlet, incluſive, together with that part of Pampticoe Sound, which lies ſouthward and weſtward of the ſhoal projecting from the mouth of Pamptiçoe river, towards the Royal Shoal, and ſouthward of the ſaid Royal Shoal; that the town of Newbern ſhall be a port of entry and delivery, and the towns of Beaufort and Swanſborough ſhall be ports of delivery only; and there ſhall be a collector appointed for the diſtrict, to reſide at Newbern, and a ſurveyor, to reſide at Beaufort, and one at Swanſborough. And it ſhall be lawful for the Preſident of the Diſtricts and ports in North Carolina.

Diſtricts and ports in North-Carolina.

United States, if he ſhall judge it expedient, and for the intereſt of the United States, to eſtabliſh a port of delivery at Shell Caſtle or Beacon Iſland, near Ocracoke Inlet, and to appoint a ſurveyor to reſide thereat: Another diſtrict, to be called the diſtrict of Waſhington, which ſhall comprehend all that part of Pampticoe Sound, not included in the diſtrict of Newbern as far north as the Marſhes; the town of Waſhington ſhall be the ſole port of entry and delivery; and a collector for the diſtrict ſhall be appointed, to reſide within the ſame: Another diſtrict, which ſhall be called the diſtrict of Edenton, and to comprehend all the waters, bays, harbours, creeks and inlets, from the Marſhes incluſive, northward and weſtward, except thoſe included in the diſtrict of Cambden; the town of Edenton ſhall be a port of entry and delivery, and Hertford, Murfreeſborough, Princeton, Winton, Bennet's Creek, Plymouth, Windſor and Skewarky, ports of delivery; and a collector for the diſtrict ſhall be appointed, to reſide at the town of Edenton, and a ſurvyeor at each of the ports of Hertford, Winton, Bennet's Creek, Plymouth, Windſor and Skewarky; and one at Murfreeſborough, for ſaid port and for Princeton: Another diſtrict, which ſhall be called the diſtrict of Cambden, and to comprehend North River, Paſquotank and Little Rivers, and all the waters, ſhores, bays, harbours, creeks and inlets, from the junction of Currituck and Albermarle Sounds, to the North extremity of Blackbay; and Plankbridge, on Sawyer's Creek, ſhall be the port of entry and delivery, and Nixonton, India Town, Newbiggin Creek, Currituck Inlet, Paſquotank River Bridge, ports of delivery; and a collector for the diſtrict ſhall be appointed, to reſide at Plankbridge, on Sawyer's Creek, and a ſurveyor at each of the ports of Nixonton, Indian Town, Currituck Inlet, Paſquotank Ri-

ver Bridge and Newbiggin Creek; and that the authority of the ſeveral officers of each diſtrict ſhall extend over all the waters, ſhores, bays, harbours, creeks and inlets, comprehended within each diſtrict. Provided that all ſhips or veſſels, intending to proceed to Plymouth, Windſor, Skewarky, Winton, Bennet's Creek Bridge, Murfreeſborough or Princeton, ſhall firſt come to and enter at the port of Edenton; and provided alſo, that any veſſels coming in at Ocracoke Inlet, that may be under the neceſſity of employing lighters before they paſs the Royal Shoal, may be at liberty to enter at any port of entry connected with the waters of ſaid inlet, to which ſuch veſſels are bound; and that any veſſel coming in at ſaid inlet in ballaſt, for the purpoſe of loading without the Royal Shoals, ſhall be at liberty to enter at any port of entry connected with the waters of ſaid inlet.

Diſtricts and ports in South-Carolina.

Sec. 13. *And be it further enacted*, That in the ſtate of South-Carolina there ſhall be three diſtricts, to wit: Georgetown, Charleſton and Beaufort, each of which ſhall be a port of entry. The diſtrict of Georgetown ſhall include the ſhores, inlets and rivers, from the boundary of North-Carolina to the point of Cape Romain: The diſtrict of Charleſton ſhall include all the ſhores, inlets and rivers, from Cape Romain to Combahee River, incluſive; and the diſtrict of Beaufort ſhall include the ſhores, inlets and rivers, from Combahee River to Back River in Georgia, comprehending all the ſhores, inlets and harbours, formed by the different bars and ſea iſlands lying within each diſtrict reſpectively; and a collector, naval officer and ſurveyor ſhall be appointed, to reſide at Charleſton, and a collector at each of the other ports.

Sec. 14. *And be it further enacted*, That in the ſtate of Georgia there ſhall be five diſtricts, to

Diſtricts and ports in Georgia.

wit: Savannah, Sunbury, Brunſwick, St. Mary's and Hardwicke; each of which ſhall be a port of entry. The diſtrict of Savannah ſhall include Savannah River, and all the waters, ſhores, harbours, rivers, creeks, bays and inlets from the ſaid river to the north point of Oſſabaw Iſland and Great Ogeeche Rivers, inclusive; and a collector, naval officer and ſurveyor ſhall be appointed for the ſaid diſtrict, to reſide at Savannah.

The diſtrict of Sunbury ſhall comprehend all the waters, ſhores, harbours, rivers, creeks, bays and inlets, ſouth of the north point of Oſſabaw Iſland and Great Ogeeche River excluſive, and north of the ſouth point of Sapelo Iſland inclusive, except ſuch part as is hereafter deſcribed as appertaining to the diſtrict of Hardwicke; and a collector for the ſaid diſtrict ſhall be appointed, to reſide at Sunbury.

The diſtrict of Brunſwick ſhall comprehend all the waters, ſhores, harbours, rivers, creeks, bays and inlets, from the ſouth point of Sapelo Iſland excluſive, to the ſouth point of Jekyl Iſland incluſive; Fredericka ſhall be a port of delivery only; and a collector for the diſtrict ſhall be appointed, to reſide at Brunſwick.

The diſtrict of St. Mary's ſhall comprehend all the waters, ſhores, harbours, rivers, creeks, bays and inlets, from the ſouth point of Jekyl Iſland excluſive to St. Mary's river incluſive; and a collector for the ſaid diſtrict ſhall be appointed to reſide at St. Mary's.

And in each of the ſaid diſtricts it ſhall be lawful for the collector to grant a permit to unlade at any port or place within the diſtrict, and to appoint, or put on board any ſhip or veſſel for which a permit is granted, one or more inſpectors, as may be neceſſary for the ſecurity of the revenue.

The diſtrict of Hardwicke ſhall include all the waters, ſhores, bay, harbours, creeks and

rivers, between the ſouth point of Oſſabaw Iſland and the ſouth point of Warſaw Iſland; and in the ſaid diſtrict the town of Hardwicke ſhall be the only port of entry, and a collector for the ſaid diſtrict ſhall be appointed, to reſide at Hardwicke.

Diſtricts and ports in Kentucky.

Sec. 15. *And be it further enacted*, That in the ſtate of Kentucky there ſhall be one diſtrict, which ſhall include all the waters, ſhores and inlets of the rivers Ohio and Miſiſſippi, and the rivers and waters connected therewith lying within the juriſdiction of the United States and the ſaid ſtate; and a collector ſhall be appointed, to reſide at Louiſville, which ſhall be the ſole port of entry and delivery, for the ſaid diſtrict, of any goods, wares and merchandize, not the growth or manufacture of the United States: *Provided nevertheleſs*, That it ſhall be lawful for the Preſident of the United States, whenever he ſhall judge it expedient, and for the intereſt of the United States, to eſtabliſh a ſeparate diſtrict which ſhall include all the waters, ſhores and inlets of the river Miſiſſippi, within the juriſdiction of the United States and the ſaid ſtate of Kentucky, and alſo the ſhores and waters on the ſouth ſide of the river Ohio, from the mouth thereof to the eaſt bank of Cumberland River, with the rivers and waters connected with the Miſiſſippi and Ohio, within the limits aforeſaid, and within the ſtate aforeſaid; and to appoint a collector to reſide at ſuch port of entry and delivery as may be eſtabliſhed within the ſame.

Diſtricts and ports in Tenneſſee.

Sec. 16. *And be it further enacted*, That in the ſtate of Tenneſſee there ſhall be one diſtrict, which ſhall include all the waters, ſhores and inlets of the river Miſiſſippi, and other navigable rivers and waters lying within the juriſdiction of the United States, and within the ſaid ſtate; and a collector ſhall be appointed, who ſhall reſide at Palmyra, which ſhall be the only

Diſtricts and ports in Tenneſſee.

port of entry or delivery, within the ſaid diſtrict, of any goods, wares and merchandize not the growth or manufacture of the United States: *Provided nevertheleſs*, that the Preſident of the United States may, whenever he ſhall judge it expedient, and for the intereſt of the United States, erect the ſhores, waters and inlets of the river Miſiſſippi lying within the juriſdiction of the United States, and within the ſtate of Tenneſſee, into a ſeparate diſtrict, and appoint a collector, to reſide at ſuch port of entry and delivery as may be eſtabliſhed within the ſame.

Diſtricts and ports in the N. Weſtern Territory.

Sec. 17. *And be it further enacted*, That in the territory of the United States North-Weſt of the river Ohio, there ſhall be ſix diſtricts, to wit: Erie, Detroit, Michilimakinac, Maſſac, Illinois and Ohio.

The diſtrict of Erie ſhall include all the waters, ſhores and inlets of Lake Erie, within the juriſdiction of the United States, and the rivers and waters connected therewith, from the weſt line of the ſtate of Pennſylvania unto the weſt bank of the Miami of Lake Erie, including ſaid river; and the Preſident of the United States is authorized to eſtabliſh ſuch place at or near Sanduſky, or on the ſaid river Miami, to be the port of entry, as he ſhall judge expedient, and alſo to eſtabliſh not exceeding two other places to be ports of delivery only; and a collector ſhall be appointed, to reſide at the port of entry, and ſurveyors to reſide at ſuch ports of delivery as may be eſtabliſhed as aforeſaid.

The diſtrict of Detroit ſhall include all the waters, ſhores and inlets of the lakes Erie, St. Clair and Huron, within the juriſdiction of the United States, and the rivers and waters connected therewith, to the weſtward of the river Miami aforeſaid, unto the iſland of Michilimakinac; and a collector ſhall be appointed, to reſide at Detroit, which ſhall be the ſole port of

entry for the diſtrict; and the Preſident of the United States is authorized, if he ſhall judge it expedient, to eſtabliſh not exceeding two ports of delivery within the ſaid diſtrict, and to appoint ſurveyors to reſide thereat. Diſtricts and ports in the N. Weſtern Territory.

The diſtrict of Michilimakinac ſhall include the iſland of that name, the adjoining lands ceded to the United States by the Indian nations at the treaty of Greenville, and all the waters, ſhores and inlets to the weſtward and northward of the Lakes Michigan and Superior, and the rivers, waters, ſhores, and lakes connected therewith, lying within the juriſdiction of the United States, unto the northern and north-weſtern boundaries thereof. And the Preſident of the United States is authorized to eſtabliſh ſuch place at or near Michilimakinac to be the port of entry for the diſtrict as he ſhall deem expedient, and alſo to eſtabliſh not exceeding three other places within the ſaid diſtrict to be ports of delivery only; and a collector ſhall be appointed to reſide at the port of entry, and ſurveyors to reſide at the ports of delivery, which may be eſtabliſhed as aforeſaid.

The diſtrict of Maſſac ſhall include the lands relinquiſhed and ceded to the United States by the Indian nations, at the treaty of Greenville in Auguſt, one thouſand ſeven hundred and ninety-five, lying near the confluence of the rivers Ohio and Miſiſſippi, and ſhall extend from thence to the mouth of the river Ohio, on the nothern ſide of the ſaid river, and up the river Ohio to the eaſtern ſide of the river Wabaſh, including the ſaid river, with all the waters, ſhores and inlets connected with the rivers Ohio and Wabaſh, within the boundaries aforeſaid. And ſuch place at or near Fort Maſſac as the Preſident of the United States ſhall deſignate for that purpoſe, ſhall be the ſole port of entry for the diſtrict, and a collector ſhall be appointed,

Diſtricts and ports in the N. Weſtern Territory.

to reſide thereat; and it ſhall be lawful for the Preſident of the United States, if he ſhall judge expedient, to eſtabliſh not exceeding two places at or near the river Wabaſh to be ports of delivery only, and to appoint ſurveyors to reſide thereat.

The diſtrict of Illinois ſhall include all the waters, ſhores and inlets of the river Miſiſſippi above the mouth of the river Ohio, within the juriſdiction of the United States, and alſo the river Illinois, with the rivers, ſhores and waters connected therewith; and a collector ſhall be appointed to reſide at ſuch place as the Preſident of the United States ſhall deſignate, to be the port of entry, and not exceeding two ſurveyors to reſide at ſuch places as the Preſident ſhall ſee fit to eſtabliſh as ports of delivery only.

The diſtrict of Ohio ſhall include all the waters, ſhores and inlets of the river Ohio, on the nothern ſide, with the rivers, ſhores and waters connected therewith, lying to the eaſtward of the diſtrict of Maſſac as before deſcribed; and a collector ſhall be appointed to reſide at ſuch place as the Preſident of the United States ſhall deſignate, at or near the confluence of the Great Miami River and the river Ohio, which place ſhall be the ſole port of entry or delivery for the diſtrict.

Diſtrict and port ſouth of Tenneſſee

And there ſhall be a diſtrict on the river Miſiſſippi, ſouth of the ſtate of Tenneſſee, which ſhall include all the waters, ſhores and inlets of the river Miſiſſippi, and other navigable rivers and waters connected therewith, lying within the juriſdiction of the United States and ſouth of the ſaid ſtate; and it ſhall be lawful for the Preſident of the United States, to deſignate a proper place, to be the port of entry and delivery within the ſame, and to appoint a collector to reſide thereat.

And in caſe the appointment of the ſeveral collectors and ſurveyors for the new diſtricts or ports eſtabliſhed, or authorized to be eſtabliſhed hereby, ſhall not be made during the preſent ſeſſion of Congreſs, the Preſident of the United States may, and he is hereby empowered to make ſuch appointments during the receſs of the Senate, by granting commiſſions, which ſhall expire at the end of their next ſeſſion; but new appointments ſhall be neceſſary to be made to any of the offices heretofore eſtabliſhed.

Appointments may be made in the receſs of Congreſs.

Sec. 18. *And be it further enacted*, That it ſhall and *may be* lawful to make entry of any ſhip or veſſel, which ſhall arrive from any foreign port or place within the United States, or of the cargo on board ſuch ſhip or veſſel, elſewhere than at one of the ports of entry herein before eſtabliſhed, nor to unlade the ſaid cargo, or any part thereof, elſewhere than at one of the ports of delivery herein eſtabliſhed. *Provided always*, That every port of entry ſhall be alſo a port of delivery; *And provided further*, That none but ſhips or veſſels of the United States ſhall be admitted to unlade at any other than the ports following, to wit: Portſmouth, in New-Hampſhire; Portland and Falmouth, New-Bedford, Dighton, Salem and Beverly, Glouceſter, Newbury-port, Marblehead, Nantucket, Boſton and Charleſtown, Plymouth, Bath, Frenchmans-bay, Wiſcaſſet, Machias and Penobſcot, in the ſtate of Maſſachuſetts; Newport and Providence, in the ſtate of Rhode-Iſland and Providence Plantations; New-London and New-Haven, in the ſtate of Connecticut; New-York, in the ſtate of New-York; Perth-Amboy and Burlington, in the ſtate of New-Jerſey; Philadelphia, in the ſtate of Pennſylvania; Wilmington, Newcaſtle and Port Penn, in the ſtate of Delaware; Baltimore, Annapolis, Vienna, Oxford, Georgetown on Potomack, Cheſtertown, Town Creek, Not-

Where veſſels and cargoes are to be entered & delivered.

Ports of entry to be ports of delivery.

Ports to which the unlading of veſſels of the U. S. is reſtricted.

Ports to which the unlading of veſſels of the U. S. is reſtricted.

tingham, Nanjemoy, Digges's Landing, Snow-hill and Carrolſburgh, in the ſtate of Maryland; Alexandria, Kinſale, Newport, Tappahannock, Port Royal, Fredrickſburgh, Urbanna, York Town, Weſt Point, Hampton, Bermuda Hundred, City Point, Rockett's Landing, Norfolk and Portſmouth, in the ſtate of Virginia; Wilmington, Newbern, Beaufort, Waſhington, Edenton and Plankbridge, in the ſtate of North-Carolina; Charleſton, Georgetown and Beaufort, in the ſtate of South-Carolina; and in either of the ports of Savannah, Sunbury, Brunſwick, Fredericka and St. Mary's, in the ſtate of Georgia; or to make entry in any other diſtrict than in the one in which they ſhall be ſo admitted to unlade. *And provided laſtly*, That no ſhip or veſſel arriving from the Cape of Good Hope, or from any place beyond the ſame, ſhall be admitted to make entry at any other than the ports following, to wit: Portſmouth, in the ſtate of New-Hampſhire; Boſton and Charleſtown, Newbury-port, Salem and Beverly, Marblehead, Glouceſter, Portland and Falmouth, in the ſtate of Maſſachuſetts; Newport and Providence, in the ſtate of Rhode-Iſland and Providence Plantations; New-London and New-Haven, in the ſtate of Connecticut; New-York, in the ſtate of New-York; Perth-Amboy, in the ſtate of New-Jerſey; Philadelphia, in the ſtate of Pennſylvania; Wilmington, in the ſtate of Delaware; Baltimore, Annapolis, and George-Town, in the ſtate of Maryland; Alexandria, Norfolk and Portſmouth, in the ſtate of Virginia; Wilmington, Newbern, Waſhington and Edenton, in the ſtate of North-Carolina; Charleſton, George-Town and Beaufort, in the ſtate of South-Carolina; and Sunbury and Savannah, in the ſtate of Georgia. *Provided*, That nothing herein contained ſhall prevent the maſter or commander of any ſhip or veſſel from making entry with the co-

Proviſo.

lector of any district in which such ship or vessel may be owned, or from which she may have sailed on the voyage from which she shall then have returned. *Provided also*, That if the President of the United States shall see fit to establish a port of delivery at Shell Castle, or Beacon Island, near Ocracoke-Inlet, and to appoint a surveyor to reside thereat, it shall be the duty of the master or commander of every ship or vessel coming in at Ocracoke-Inlet, and intending to unlade her cargo, or any part thereof, at any port connected with the waters of the said inlet, to come to at the port of delivery which may be established as aforesaid, and there exhibit like reports and manifests, and perform all other duties required by this act of masters of vessels when arriving at a port of entry in the United States; but no duties shall be paid or secured at the said port of delivery: and the surveyor who may be appointed to reside at the said port of delivery shall, in addition to other powers and duties granted and prescribed to surveyors by this act, superintend the unlading and discharge of all goods, wares and merchandise from the vessels in which the same may be imported, into the lighters or coasting vessels, which may be employed in the transportation of said goods, wares and merchandize to any port of entry or delivery connected with the said Ocracoke-Inlet; and all goods, wares or merchandise which shall be so unladen into lighters or coasting vessels, shall and may be secured with the necessary locks, or fastenings, or under the seal of the said surveyor, and shall be accompanied with permits, describing the said goods, wares and merchandise, the vessel in which imported, the persons to whom belonging, and the port of entry or delivery to which destined—And the masters or commanders of all lighters or coasting vessels who shall receive goods, wares or merchan-

Port of Shell Castle or Beacon Island, & duties of the officer of the port.

Port of Shell Caſtle or Beacon Iſland & duties of the officer of the port.

diſe to be tranſported as aforeſaid, ſhall give triplicate receipts deſcribing the caſks or packages, containing the ſame; and in caſe any goods, wares or merchandiſe, tranſported under permits and for which receipts ſhall have been given as aforeſaid, ſhall not be tranſported and delivered to the collector or ſurveyor of the port of entry or delivery, to which the ſame ſhall be conſigned by the permits aforeſaid, the dangers of the ſeas and unavoidable accidents only excepted, or if any lock, faſtening or ſeal placed on the ſaid goods, wares or merchandiſe, ſhall be broken or deſtroyed, the lighter or veſſel employed in tranſporting the ſame ſhall be forfeited, and the maſter thereof ſhall forfeit and pay a ſum not exceeding five hundred dollars, with coſts of ſuit—And it ſhall be the duty of the ſurveyor, who may be appointed to reſide at the port of Shell-Caſtle, or Beacon-Iſland, to endorſe on the original manifeſts of veſſels arriving at ſaid port, all deliveries which may be made as aforeſaid to the maſters of lighters or coaſting veſſels as aforeſaid; which manifeſts ſhall be exhibited to the collector of the interior port of entry, to which ſuch veſſels may be deſtined, where like entries ſhall be made and like proceedings had, as are required by the general regulations and proviſions of this act.

Veſſels bound to certain ports of delivery ſhall firſt come to at the port of entry, and exceptions.

Sec. 19. *And be it further enacted*, That the maſter or commander of every ſhip or veſſel bound to a port of delivery only, in any of the following diſtricts, to wit: Portland and Falmouth, except the ports of North Yarmouth, Freeport and Harpſwell; Bath, except the ports of Georgetown and Brunſwick; Newbury-port; New-London, except the port of Stonington; Middletown, except the ports of Lyme, Saybrook, Killinſworth, Haddam, and Eaſt-Haddam; Norfolk and Portſmouth, Bermuda Hundred or City Point, York Town, Tappahan-

nock, except the port of Urbanna, or Edenton; ſhall firſt come to, at the port of entry of ſuch diſtrict, with his ſhip or veſſel, and there make report and entry in writing, and pay, or ſecure to be paid, all legal duties, port fees and charges, in manner provided by this act, before ſuch ſhip or veſſel ſhall proceed to her port of delivery; and that any ſhip or veſſel bound to a port of delivery in any diſtrict other than thoſe above mentioned, or to either of the ports of delivery above mentioned, may firſt proceed to her port of delivery, and afterwards make report and entry within the time by this act limited; and the maſter of every veſſel arriving from a foreign port, or having goods on board, of which the duties have not been paid or ſecured, and bound to any port on Connecticut river, ſhall take an inſpector on board at Saybrook, before proceeding to ſuch port; and if any maſter of a ſhip or veſſel ſhall proceed to a port of delivery, contrary to the directions aforeſaid, he ſhall forfeit and pay five hundred dollars, to be recovered with coſts of ſuit; that the maſter or commander of any ſhip or veſſel, bound to any diſtrict in Connecticut, through or by the way of Sandy-Hook, ſhall, before he paſs by the port of New-York, and immediately after his arrival, depoſit with the collector for the diſtrict of New-York, a true manifeſt of the cargo on board ſuch ſhip or veſſel; if bound to the diſtrict of Hudſon, ſhall, before he paſs by the port of New-York, and immediately after his arrival, depoſit with the collector thereof a like manifeſt; if bound to the diſtrict of Burlington, ſhall, before he paſs by the port of Philadelphia, and immediately after his arrival, depoſit with the collector thereof a like manifeſt; if bound to the diſtrict of Nottingham, ſhall, before he paſs by the port of Town Creek, and immediately after his arrival, depoſit with the

Veſſels bound to certain ports of delivery ſhall firſt come to at the port of entry, and exceptions.

ſurveyor of the ſaid port a like manifeſt; if bound to the diſtrict of Tappahannock, ſhall, before he paſs by the port of Urbanna, and immediately after his arrival, depoſit with the ſurveyor of that port a like manifeſt; if bound to the diſtrict of Bermuda Hundred and City Point, ſhall on his arrival in Hampton Road, or at Sewell's Point, and immediately after ſuch arrival, depoſit with the collector of Norfolk and Portſmouth, or with the collector of the port of Hampton, a like manifeſt; and if bound to the diſtrict of South-Quay, ſhall, before he paſs by the port of Edenton, and immediately after his arrival, depoſit with the collector of the port of Edenton a like manifeſt; and the ſaid collectors and ſurveyors reſpectively ſhall, after regiſtering the manifeſts, tranſmit the ſame, duly certified to have been ſo depoſited, to the officer with whom the entries are to be made; and the ſaid collectors and ſurveyors reſpectively, may, whenever they judge it to be neceſſary for the ſecurity of the revenue, put an inſpector of the cuſtoms on board any ſhip or veſſel as aforeſaid, to accompany the ſame until her arrival at the firſt port of entry or delivery, in the diſtrict to which ſuch ſhip or veſſel may be deſtined; and if the maſter or commander of any ſhip or veſſel ſhall neglect or omit to depoſit a manifeſt in manner aforeſaid, or ſhall refuſe to receive an inſpector of the cuſtoms on board, as the caſe ſhall require, he ſhall forfeit and pay five hundred dollars, to be recovered with coſts of ſuit, one half for the uſe of the officer with whom ſuch manifeſt ought to have been depoſited, and the other half to the uſe of the collector of the diſtrict to which the ſaid ſhip or veſſel may be bound; *Provided*, That if the manifeſt ſhall, in either of the above caſes, have been previouſly delivered to any officer of the cuſtoms, purſuant to the proviſions hereinafter to be made in

that behalf, the depoſiting of a manifeſt as aforeſaid ſhall not be neceſſary.

Officers appointed under this act to take an oath, and tranſmit it to the Comptroller.

Sec. 20. *And be it further enacted*, That all officers and perſons to be appointed purſuant to this act, before they enter upon the duties of their reſpective offices, ſhall ſeverally take and ſubſcribe an oath or affirmation, diligently and faithfully to execute the duties of their ſaid offices reſpectively, which oath or affirmation ſhall be of the form and tenor following, to wit:

I (A. B.) having been appointed (collector or other officer as the caſe may be) of the (diſtrict or port of) do ſolemnly, ſincerely and truly (ſwear or affirm) that I will diligently and faithfully execute the duties of the ſaid office of and will uſe the beſt of my endeavours to prevent and detect frauds in relation to the duties impoſed by the laws of the United States; I further (ſwear or affirm) that I will ſupport the conſtitution of the United States.

(Sworn or affirmed) and ſubſcribed, this day of before me,

And the oath or affirmation aforeſaid, if taken by a collector, may be taken before any magiſtrate authorized to adminiſter oaths within the diſtrict to which he belongs; but if taken by another officer, ſhall be taken before the collector of his diſtrict; and being certified under the hand and ſeal of the perſon by whom the ſame ſhall have been adminiſtered, ſhall within three months thereafter be tranſmitted to the Comptroller of the Treaſury, in default of taking of which oath, or tranſmitting a certificate thereof, the party failing ſhall forfeit and pay two hundred dollars, to be recovered with coſt of ſuit in any court of competent juriſdiction, to the uſe of the United States.

Penalty in default thereof.

Sec. 21. *And be it further enacted*, That the ſeveral officers of the cuſtoms ſhall reſpectively perform the duties following, to wit: At ſuch

Duties of the collector.

of the ports to which there ſhall be appointed a collector, naval officer and ſurveyor, the collector ſhall receive all reports, manifeſts and documents to be made or exhibited on the entry of any ſhip or veſſel, according to the regulations of this act; ſhall record, in books to be kept for that purpoſe, all manifeſts; ſhall receive the entries of all ſhips or veſſels and of the goods, wares and merchandiſe imported in them; ſhall together with the naval officer where there is one, or alone where there is none, eſtimate the amount of the duties payable thereupon, indorſing the ſaid amount upon the reſpective entries; ſhall receive all monies paid for duties, and take all bonds for ſecuring the payment thereof; ſhall grant all permits for the unlading and delivery of goods; ſhall, with the approbation of the principal officer of the Treaſury Department, employ proper perſons as weighers, gaugers, meaſurers and inſpectors, at the ſeveral ports within his diſtrict; and alſo, with the like approbation, provide, at the public expenſe, ſtore-houſes for the ſafe keeping of goods, and ſuch ſcales, weights and meaſures, as may be neceſſary; the naval officer ſhall receive copies of all manifeſts and entries, and ſhall, together with the collector, eſtimate the duties on all goods, wares and merchandiſe ſubject to duty (and no duties ſhall be received without ſuch eſtimate) and ſhall keep a ſeparate record thereof, and ſhall counterſign all permits, clearances, certificates, debentures, and other documents, to be granted by the Collector; he ſhall alſo examine the collector's abſtracts of duties, and other accounts of receipts, bonds and expenditures, and if found right, he ſhall certify the ſame.

Duties of the naval officer.

Duties of the ſurveyor.

The ſurveyor ſhall ſuperintend and direct all inſpectors, weighers, meaſurers and gaugers, within his port, and ſhall once every week re-

port to the collector, the name or names of such inſpectors, weighers, gaugers or meaſurers, as may be abſent from or neglect to do their duty, ſhall viſit or inſpect the ſhips or veſſels which arrive therein, and ſhall make a return in writing every morning to the collector, if any, at the port where he reſides, of all veſſels which ſhall have arrived from foreign ports or places the preceding day, ſpecifying the names and denominations of the veſſels, the maſters' names, from whence arrived, whether laden or in ballaſt, whether belonging to the United States, or to what other nation belonging, and if American veſſels, whether the maſters thereof have or have not complied with the law, in having the required number of manifeſts of the cargo on board, agreeing in ſubſtance with the proviſions made neceſſary by this act, and ſhall have power, and is hereby required, to put on board each of ſuch veſſel, one or more inſpectors, immediately after their arrival in his port; the ſurveyor ſhall alſo aſcertain the proof, quantities and kinds of diſtilled ſpirits imported, rating ſuch ſpirits according to their reſpective degrees of proof as defined by the laws impoſing duties on ſpirits: he ſhall likewiſe examine and aſcertain the quality, kind and quantity of all wines imported; alſo the quantity and kind of all teas and ſugars imported; and ſhall grant certificates for the ſaid ſpirits, wines and teas, and make returns thereof, in manner hereafter provided. He ſhall alſo examine whether the goods imported in any ſhip or veſſel, and the deliveries thereof, agreeably to the inſpector's returns thereof, correſpond with the permits for landing the ſame; and if any error or diſagreement appear, he ſhall report the ſame to the collector, and to the naval officer, if any there be. The ſurveyor ſhall alſo ſuperintend the lading for exportation of all goods entered for

Duties of the ſurveyor.

Duties of the surveyor.

the benefit of any drawback, bounty or allowance, and shall examine and report whether the kind, quantity and quality of the goods, so laden on board any vessel for exportation, correspond with the entries and permits granted therefor: he shall also from time to time, and particularly on the first Mondays in January and July in each year, examine and try the weights, measures and other instruments, used in ascertaining the duties on imports, with standards to be provided by each collector at the public expence for that purpose; and where disagreements or errors are discovered, he shall report the same to the collector, and obey and execute such directions as he may receive for correcting thereof, agreeably to the standards aforesaid; and the said surveyor shall in all cases be subject to the direction of the collector. And at

Further duties of the collector, naval officer and surveyor.

ports to which a collector and surveyor only are assigned, the said collector shall solely execute all the duties in which the co-operation of the naval officer is requisite, at the ports where a naval officer is appointed; which he shall also do in case of the disability or death of the naval officer, until a successor is appointed, unless there is a deputy duly authorized under the hand and seal of the naval officer, who in that case shall continue to act, until an appointment shall take place. And at the ports to which a collector only is assigned, such collector shall solely execute all the duties in which the co-operation of the naval officer is requisite as aforesaid, and shall also, as far as may be, perform all the duties prescribed to the surveyors at the ports where such officers are established. And at the ports to which surveyors only are assigned, every such surveyor shall perform all the duties hereinbefore enjoined upon surveyors; and shall also receive and record the copies of all manifests which shall be transmitted to him by the

collector; ſhall record all permits granted by ſuch collector, diſtinguiſhing the gauge, weight, meaſure, and quality of the goods ſpecified therein, and ſhall take care that no goods be unladen or delivered from any ſhip or veſſel, without a proper permit for that purpoſe. And at ſuch ports of delivery only to which no ſurveyor is aſſigned, it ſhall be lawful for the collector of the diſtrict occaſionally, and from time to time, to employ a proper perſon or perſons to do the duties of a ſurveyor, who ſhall be entitled to the like compenſation with inſpectors during the time they ſhall be employed. And the ſaid collectors, naval officers and ſurveyors, ſhall reſpectively attend in perſon at the ports to which they are reſpectively aſſigned; and ſhall keep fair and true accounts and records of all their tranſactions, as officers of the cuſtoms, in ſuch manner and form as may from time to time be directed by the proper department, or officer having the ſuperintendance of the collection of the revenue of the United States; and ſhall at all times ſubmit their books, papers and accounts, to the inſpection of ſuch perſons as may be appointed for that purpoſe; and the ſaid collector ſhall at all times pay to the order of the officer, who ſhall be authorized to direct the payment thereof, the whole of the monies which they may reſpectively receive by virtue of this act (ſuch monies as they are otherwiſe by this act directed to pay only excepted) and ſhall, once in every three months, or oftener if they ſhall be required, tranſmit their accounts for ſettlement to the officer or officers whoſe duty it ſhall be to make ſuch ſettlement; and if any collector, naval officer or ſurveyor, ſhall omit to keep fair and true accounts as aforeſaid, or ſhall refuſe to ſubmit forthwith their books, papers and accounts to inſpection as aforeſaid; or if any collector ſhall omit or refuſe to render his

accounts for ſettlement, for a term exceeding three months after the ſame ſhall have been required by the proper officer, in each and every ſuch caſe the delinquent officer ſhall forfeit and pay, for the uſe of the United States, one thouſand dollars, to be recovered with coſts of ſuit.

Collectors, &c. may appoint deputies.

Sec. 22. *And be it further enacted*, That every collector, naval officer and ſurveyor, in caſes of occaſional and neceſſary abſence, or of ſickneſs, and not otherwiſe, may reſpectively exerciſe and perform their ſeveral functions, powers and duties by deputy, duly conſtituted under their hands and ſeals reſpectively, for whom, in the execution of their truſt, they ſhall reſpectively be anſwerable: That in caſe of the diſability or death of a collector, the duties and authorities veſted in him ſhall devolve on his deputy, if any there be at the time of ſuch diſability or death, for whoſe conduct the eſtate of ſuch diſabled or deceaſed collector ſhall be liable; and in defect of a deputy, the ſaid authorities and duties ſhall devolve upon the naval officer of the ſame diſtrict, if any there be; and if there be no naval officer, upon the ſurveyor of the port appointed for the reſidence of ſuch diſabled or deceaſed collector, if any there be, and if none, upon the ſurveyor of the port neareſt thereto and within the ſaid diſtrict. And in every caſe of the diſability or death of a ſurveyor, it ſhall be lawful for the collector of the diſtrict to nominate ſome fit perſon to perform his duties and exerciſe his authorities; and the authorities of the perſons who may be empowered to act in the ſtead of thoſe who may be diſabled or dead, ſhall continue until ſucceſſors ſhall be duly appointed, and ready to enter upon the execution of their reſpective offices.

Sec. 23. *And be it further enacted*, That no goods, wares or merchandiſe, ſhall be brought into the United States, from any foreign port

or place, in any ſhip or veſſel, belonging in the whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, unleſs the maſter, or perſon having the charge or command of ſuch ſhip or veſſel, ſhall have on board a manifeſt or manifeſts in writing, ſigned by ſuch maſter or other perſon, containing the name or names of the port or ports, place or places, where the goods in ſuch manifeſt or manifeſts mentioned ſhall have been reſpectively taken on board, and the port or ports, place or places within the United States for which the ſame are reſpectively conſigned or deſtined, particularly noting the goods, wares and merchandiſe deſtined for each port or place reſpectively, and the name, deſcription and built of ſuch ſhip or veſſel, and the true admeaſurement or tonnage thereof, the port or place to which ſuch veſſels belongs, with the name or names of each owner, according to the regiſter of the ſame, together with the name of the maſter or other perſon having the charge or command of ſuch ſhip or veſſel, and a juſt and particular account of all the goods, wares and merchandiſe, ſo laden or taken on board, whether in packages or ſtowed looſe, of any kind or nature whatſoever, together with the marks and numbers as marked on each package, and the number or quantity and deſcription of the packages in words at length, whether leaguer, pipe, butt, puncheon, hogſhead, barrel, keg, caſe, bale, pack, truſs, cheſt, box, band-box, bundle, parcel, caſk or package, of any kind or ſort, deſcribing the ſame by its uſual name or denomination; together with the name or names of the perſon or perſons to whom the ſame are reſpectively conſigned, agreeably to the bills of loading, ſigned for the ſame, unleſs when the ſaid goods are conſigned to order, when it ſhall be ſo expreſſed in the ſaid manifeſt or manifeſts;

Maſters of veſſels from foreign ports to have manifeſts of the cargoes.

together with the name or names of the ſeveral paſſengers on board the ſaid ſhip or veſſel, diſtinguiſhing whether cabin or ſteerage paſſengers, or both, with their baggage, ſpecifying the number and deſcription of packages belonging to each reſpectively, together with an account of the remaining ſea ſtores, if any; and the form of a manifeſt for goods and merchandiſe imported in a veſſel of the United States ſhall be as follows, to wit:

Form of manifeſt.

Report and manifeſt of the cargo laden on board of the (here inſert the denomination and name of the veſſel) whereof (inſert the maſter's name) is maſter, which cargo was taken on board at (here inſert the port or ports, place or places at which the cargo was laden) burthen tons, built at in the ſtate of and owned by merchants at (inſerting the tonnage, where built, by whom owned, and place or places of reſidence, as particularly detailed in the certificate of regiſtry) as per regiſter granted at (here inſert the port or place) the (here inſert the day of the month, and year when granted) and bound for (here inſert the name of the port or place where bound to.)

Marks.	Number inclusive.	Packages and contents.	By whom ſhipped.	To whom conſigned or if to order.	Places of Conſignee's reſidence.	Ports of deſtination.

Returned cargo.

(If any articles of the outward cargo are brought back, they are to be detailed, ſpecify-

ing by whom ſhipped outward, and to whom conſigned inward.)

Return of paſſengers and of packages belonging to them reſpectively.

(Here inſert the names of the paſſengers, and whether cabin or ſteerage paſſengers, with the deſcription and number of packages containing their baggage, or the tools or implements of a mechanical trade.)

Veſſel and cabin ſtores.

(Here detail what are remaining.)

And if merchandize ſhall be imported, deſtined to be delivered in different diſtricts or ports, the quantities and packages ſo deſtined to be delivered, ſhall be inſerted in ſucceſſive order in the manifeſt as aforeſaid; and all ſpirits, wines, and teas, conſtituting the whole or any part of the cargo of any veſſel, ſhall alſo be inſerted in ſucceſſive order, diſtinguiſhing the ports to which the ſame may be deſtined, and the kinds, qualities and quantities thereof; and if merchandize ſhall be imported by citizens or inhabitants of the United States, in veſſels other than the United States, the manifeſts ſhall be of the form, and ſhall contain the particulars aforeſaid, except that ſaid veſſels ſhall be deſcribed in manner following, viz.

Report and manifeſt of the cargo laden on board the (here inſert the denomination and name of the veſſel and the port to which ſhe belongs) whereof (here inſert the maſter's name, and whether or not maſter during the voyage) burthen (here inſert the nation where built) bound to (here inſert the port or ports of deſtination) which cargo was taken on board at (here inſert the port or ports where laden.)

Sec. 24. *And be it further enacted*, That if any goods, wares and merchandiſe ſhall be imported or brought into the United States, in any ſhip

Forfeiture on having on board no manifeſt, or an imperfect one.

or veſſel whatever, belonging in the whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, from any foreign port or place, without having a manifeſt or manifeſts on board, agreeably to the directions in the foregoing ſection, or which ſhall not be included or deſcribed therein, or ſhall not agree therewith; in every ſuch caſe the maſter, or other perſon having the charge or command of ſuch ſhip or veſſel, ſhall forfeit and pay a ſum of money equal to the value of ſuch goods, not included in ſuch manifeſt or manifeſts, and all ſuch merchandiſe not included in the manifeſt, belonging or conſigned to the maſter, mate, officers or crew of ſuch ſhip or veſſel, ſhall be forfeited. *Provided always*, That if it ſhall be made appear to the ſatisfaction of the collector, naval officer and ſurveyor, or to the major part of them, where thoſe officers are eſtabliſhed at any port, or to the ſatisfaction of the collector alone, where either of the other of the ſaid officers are not eſtabliſhed, or to the ſatisfaction of the court in which a trial ſhall be had concerning ſuch forfeiture, that no part of the cargo of ſuch ſhip or veſſel had been unſhipped, after it was taken on board, except ſuch as ſhall have been particularly ſpecified and accounted for, in the report of the maſter or other perſon having the charge or command of ſuch ſhip or veſſel, and that the manifeſts had been loſt or miſlaid, without fraud or colluſion, or that the ſame was or were defaced by accident or incorrect by miſtake, in every ſuch caſe the forfeiture aforeſaid ſhall not be incurred.

Duties of maſters of veſſels in enhibiting manifeſts.

Sec. 25. *And be it further enacted*, That every maſter or other perſon, having the charge or command of any ſhip or veſſel, belonging in the whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, laden with goods as aforeſaid, and bound to any port

or place in the United States, ſhall on his arrival within four leagues of the coaſt thereof, or within any of the bays, harbours, ports, rivers, creeks or inlets thereof, upon demand, produce the manifeſt or manifeſts in writing, which ſuch maſter or other perſon is required as aforeſaid to have on board his ſaid ſhip or veſſel, to ſuch officer or officers of the cuſtoms, as ſhall firſt come on board his ſaid ſhip or veſſel, for his or their inſpection, and ſhall deliver to ſuch officer or officers a true copy or copies thereof (which copy or copies ſhall be provided and ſubſcribed by the ſaid maſter or other perſon having the charge or command of ſuch ſhip or veſſel) and the officer or officers, to whom the original manifeſt or manifeſts ſhall have been ſo produced, ſhall reſpectively certify upon the back thereof, that the ſame was or were produced, and the day and year on which the ſame was or were ſo produced, and that ſuch copy or copies as aforeſaid was or were to him or them delivered and by them examined with the original manifeſt; and ſhall likewiſe certify upon the back of ſuch copy or copies the day and year on which the ſame was or were delivered, and ſhall forthwith tranſmit ſuch copy or copies to the reſpective collectors of the ſeveral diſtricts, to which the goods by ſuch manifeſt or manifeſts ſhall appear reſpectively to be conſigned; and that the ſaid maſter, or other perſon, ſo having the charge or command of any ſuch ſhip or veſſel, ſhall in like manner produce to the officer or officers of the cuſtoms who ſhall firſt come on board ſuch ſhip or veſſel, upon her arrival within the limits of any diſtrict of the United States, in which the cargo, or any part thereof, is intended to be diſcharged or landed for his or their inſpection, ſuch manifeſt or manifeſts as aforeſaid; and ſhall alſo deliver to him or them a true copy or copies thereof (ſuch copy or copies alſo to be

Officers of the cuſtoms to certify manifeſts.

provided and ſubſcribed by the ſaid maſter or other perſon having the charge or command of ſuch ſhip or veſſel) the production of which ſaid manifeſt or manifeſts, and the delivery of which ſaid copy or copies thereof, ſhall alſo be certified by the ſaid officer or officers of the cuſtoms, who ſhall ſo firſt come on board the ſaid ſhip or veſſel, on her arrival within the limits of any ſuch diſtrict, upon the back of the ſaid original manifeſt or manifeſts, with the particular day and year when ſuch manifeſt or manifeſts was or were produced to ſuch officer or officers, and when he or they ſo received the ſaid copy or copies thereof; and ſuch officer or officers is and are hereby required forthwith to tranſmit, or cauſe to be tranſmitted, the ſaid copy or copies of the ſaid manifeſt or manifeſts to the collector of that diſtrict; and the ſaid maſter, or perſon having the charge or command of the ſaid ſhip or veſſel, ſhall afterwards produce and deliver the ſaid original manifeſt or manifeſts ſo certified to the ſaid collector; and when any manifeſt ſhall be produced, upon which there ſhall be no certificate from any officer of the cuſtoms as before mentioned, the maſter or commander producing the ſame ſhall be required to make oath or affirmation, that no officer has applied for, and that no endorſement has taken place on any manifeſt of the cargo of ſuch veſſel. *Provided always*, That nothing herein contained ſhall be conſtrued to require of ſuch maſter, or other perſon having the charge or command of ſuch ſhip or veſſel, the delivery of more than one copy of each manifeſt to the officer or officers aforeſaid, who ſhall firſt come on board of ſuch ſhip or veſſel, within four leagues of the coaſt of the United States aforeſaid, and one other copy to ſuch officer or officers as ſhall firſt come on board within the limits of any diſtrict, for which the cargo of ſuch

ſhip or veſſel, or ſome part thereof, ſhall be conſigned or deſtined, or ſhall be conſtrued to require the delivery of any ſuch copy to any other officer; but it ſhall be ſufficient in reſpect to any ſuch other officer, to produce and ſhew to him the ſaid original manifeſt or manifeſts, and the certificate or certificates thereupon; and the form of the certificate aforeſaid, to be endorſed on an original manifeſt, ſhall be as follows, to wit:

Form of certificate on an original manifeſt.

I (A. B.) certify that the within manifeſt was this day produced to me as the original manifeſt of the cargo on board the (inſert the denomination and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port laſt from). In witneſs whereof I have hereunto ſigned my name, this day of

And the form of the certificate aforeſaid, to be endorſed on the copy of a manifeſt, ſhall be as follows, to wit:

On a copy of a manifeſt.

I (A. B.) certify that I have examined the within manifeſt, produced to me this day as a copy of the original manifeſt of the cargo on board the (inſert the denomination and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port laſt from) with the original, and find the ſame to agree. In witneſs whereof I have hereunto ſigned my name, this day of

Penalty on not exhibiting manifeſts, &c.

Sec. 26. *And be it further enacted*, That if the maſter or other perſon having the charge or command of any ſhip or veſſel, laden as aforeſaid, and bound to any port or place in the United States, ſhall not upon his arrival within four leagues of the coaſt thereof, or within the limits of any diſtrict thereof, where the cargo of ſuch ſhip or veſſel, or any part thereof, is intended to be diſcharged, produce ſuch manifeſt or manifeſts as are heretofore required, in writing, to the proper officer or officers upon de-

mand thereof, and alſo deliver ſuch copy or copies thereof as aforeſaid, according to the directions of this act, in each caſe, or ſhall not give an account of the true deſtination of ſuch ſhip or veſſel, which he is hereby required to do, upon requeſt of ſuch officer or officers, or ſhall give a falſe account of ſuch deſtination, in order to evade the production of the ſaid manifeſt or manifeſts, the ſaid maſter or other perſon having the charge or command of ſuch ſhip or veſſel, ſhall forfeit, for every ſuch neglect, refuſal, or offence, a ſum not exceeding five hundred dollars; and if ſuch officer or officers firſt coming on board, in each caſe, within the diſtance or limits aforeſaid, ſhall neglect or refuſe to certify on the back of ſuch manifeſt or manifeſts, the production thereof, and the delivery of ſuch copy or copies reſpectively, as are herein before directed to be delivered to ſuch officer or officers; every ſuch officer ſo neglecting or refuſing ſhall forfeit and pay the ſum of five hundred dollars. And the officer or officers who may apply to the maſter or perſon having the charge or command of any ſuch ſhip or veſſel, reſpecting any of the proviſions in this and the foregoing ſections, and who ſhall not receive full ſatisfaction therein, are hereby required to make a return in writing of the name of the veſſel and maſter ſo offending, in any or all of the particulars required, immediately, or as ſoon after as poſſible, to the collector of the diſtrict to which ſuch ſhip or veſſel ſhall be conſidered to be bound.

Penalty on the officer omitting to certify manifeſts, &c.

Sec. 27. *And be it further enacted*, That if after the arrival of any ſhip or veſſel, ſo laden with goods as aforeſaid, and bound to the United States, within the limits of any of the diſtricts of the United States, or within four leagues of the coaſt thereof, any part of the cargo of ſuch ſhip or veſſel ſhall be unladen for any pur-

Penalty on unlading goods without authority.

poſe whatever, from out of ſuch ſhip or veſſel as aforeſaid, before ſuch ſhip or veſſel ſhall come to the proper place for the diſcharge of her cargo, or ſome part thereof, and ſhall be there duly authorized by the proper officer or officers of the cuſtoms to unlade the ſame, the maſter or other perſon having the charge or command of ſuch ſhip or veſſel, and the mate, or other perſon next in command, ſhall reſpectively forfeit and pay the ſum of one thouſand dollars, for each ſuch offence, and the goods, wares and merchandiſe, ſo unladen and unſhipped, ſhall be forfeited and loſt, except in the caſe of ſome unavoidable accident, neceſſity or diſtreſs of weather; of which unavoidable accident, neceſſity or diſtreſs, the maſter, or other perſon having the charge or command of ſuch ſhip or veſſel, ſhall give notice to, and together with two or more of the officers or mariners (of which the mate or other perſon next in command ſhall be one) on board ſuch ſhip or veſſel, ſhall make proof upon oath before the collector, or other chief officer of the cuſtoms of the diſtrict within the limits of which ſuch accident, neceſſity or diſtreſs ſhall happen, or before the collector or other chief officer of the firſt diſtrict of the United States, within the limits of which ſuch ſhip or veſſel ſhall afterwards arrive, if the ſaid accident, neceſſity or diſtreſs ſhall have happened not within the limits of any diſtrict, but within four leagues of the coaſt of the United States, which oath the ſaid collector, or other chief officer, is hereby authoriſed and required to adminiſter.

Forfeiture of ſuch goods.

Exception in caſe of neceſſity.

Sec. 28. *And be it further enacted*, That if any goods, wares and merchandiſe, ſo unladen from on board any ſuch ſhip or veſſel, ſhall be put or received into any other ſhip, veſſel, or boat, except in the caſe of ſuch accident, neceſſity or diſtreſs as aforeſaid, to be notified and proved

Penalty on aiding in ſuch unlading of goods.

as aforeſaid, the ſaid maſter or other perſon having the charge or command of any ſuch ſhip, veſſel or boat, into which the ſaid goods, wares or merchandiſe, ſhall be ſo put and received, and every other perſon aiding and aſſiſting therein, ſhall forfeit and pay treble the value of the ſaid goods, wares or merchandiſe, and the ſhip, boat or veſſel, in which they ſhall be ſo put, ſhall be forfeited and loſt.

Penalty on failing from a diſtrict before entry is made.

Sec. 29. *And be it further enacted*, That if any ſhip or veſſel which ſhall have arrived within the limits of any diſtrict of the United States, from any foreign port or place, ſhall depart, or attempt to depart from the ſame, unleſs to proceed on her way to ſome more interior diſtrict to which ſhe may be bound, before report or entry ſhall have been made by the maſter or other perſon having the charge or command of ſuch ſhip or veſſel, with the collector of ſome diſtrict of the United States, the ſaid maſter or other perſon having ſuch charge or command, ſhall forfeit and pay the ſum of four hundred dollars; and it ſhall be lawful for any collector, naval officer, ſurveyor, or commander of any of the cutters herein after mentioned, to arreſt and bring back, or cauſe to be arreſted and brought back, ſuch ſhip or veſſel, to ſuch port of the United States to which it may be moſt conveniently done. *Provided*, That if it ſhall be made to appear by the oath of the ſaid maſter, or other perſon having the charge or command of ſuch ſhip or veſſel, and of the perſon next in command, or other ſufficient proof to the ſatisfaction of the collector of the diſtrict, within which ſuch ſhip or veſſel ſhall afterwards come, or to the ſatisfaction of the court in which the proſecution for ſuch penalty may be had, that the ſaid departure or attempt to depart, was occaſioned by diſtreſs of weather, purſuit or dureſs of enemies, or other neceſſity, the ſaid penalty ſhall not be incurred.

Sec. 30. *And be it further enacted*, That within twenty-four hours after the arrival of any ſhip or veſſel, from any foreign port or place, at any port of the United States eſtabliſhed by law, at which an officer of the cuſtoms reſides, or within any harbour, inlet or creek thereof, if the hours of buſineſs at the office of the chief officer of the cuſtoms at ſuch port will permit, or as ſoon thereafter as the ſaid hours will permit, the maſter or other perſon having the charge or command of ſuch ſhip or veſſel ſhall repair to the ſaid office, and ſhall make report to the ſaid chief officer, of the arrival of the ſaid ſhip or veſſel; and within forty-eight hours after ſuch arrival, ſhall make a further report in writing, to the collector of the diſtrict, which report ſhall be in the form, and ſhall contain all the particulars required to be inſerted in a manifeſt, as the caſe may be; and the ſaid maſter, or perſon having the charge or command of any ſuch ſhip or veſſel, ſhall declare to the truth of ſuch report or manifeſt, as the ſame ought to be in conformity to this act; which declaration ſhall be on oath or ſolemn affirmation, before the ſaid collector of the diſtrict, in the manner and form following, to wit: Within what time report is to be made.

I (A. B.) do ſolemnly, ſincerely and truly ſwear (or affirm) that the report and manifeſt ſubſcribed with my name, and now delivered by me to the collector of the diſtrict of (inſert the name of the diſtrict) contains, to the beſt of my knowledge and belief, a juſt and true account of all the goods, wares and merchandiſe, including packages of every kind and nature whatſoever, which were on board the (inſert the denomination and name of the veſſel) at the time of her ſailing from the port of (here inſert the name of the port or place the veſſel laſt ſailed from) or which have been laden or taken on board at any time ſince, and that the pack- Oath on making report.

Oath on making report.

ages of the ſaid goods are as particularly deſcribed as in the bills of lading, ſigned for the ſame by me, or with my knowledge; that I am at preſent, and have been during the voyage, maſter of the ſaid veſſel, (or inſert, if otherwiſe, ſpecifying how long he has been maſter) that no package whatſoever or any goods, wares or merchandiſe have been unladen, landed, taken out, or in any manner whatever removed from on board the ſaid (inſert denomination and name of the veſſel) ſince her departure from the ſaid port of (inſert the name of the laſt port ſhe ſailed from) except ſuch as are now particularly ſpecified and declared in the abſtract or account herewith, and that the clearance and other papers, now delivered by me to the collector, are all that I now have, or have had, that any way relate to the cargo of the ſaid veſſel.—And I do further ſwear (or affirm) that the ſeveral articles ſpecified in the ſaid manifeſt, as the ſea ſtores for the cabin and veſſel, are truly ſuch, and were bona fide put on board the ſaid (inſert the denomination and name of the veſſel) for the uſe of the officers, crew and paſſengers thereof, and have none of them been brought, and are not intended, by way of merchandiſe, or for ſale, or for any other purpoſe, than above mentioned, and are intended to remain on board for the conſumption of the ſaid officers and crew; I further ſwear (or affirm) that if I ſhall hereafter diſcover, or know of any other or greater quantity of goods, wares and merchandiſe of any nature or kind whatſoever, than are contained in the report and manifeſt, ſubſcribed and now delivered by me, I will immediately and without delay, make due report thereof to the collector of the port or diſtrict of (here inſert the port or diſtrict entering at) and I do likewiſe ſwear (or affirm) that all matters whatſoever in the ſaid report and manifeſt

expreſſed, are to the beſt of my knowledge and belief juſt and true. (The following addition to the oath or affirmation is to be inſerted in caſes where the manifeſts ſhall not have been certified by ſome officer of the cuſtoms in manner provided.) I further ſwear (or affirm) that no officer of the cuſtoms has applied for an inſpection of the manifeſt of the cargo on board the ſaid veſſel, and that no certificate or endorſement has been delivered to me on any manifeſt of ſuch cargo. So help me God.

(Signed) A. B.

Sworn (or affirmed) before me this day of

C. D. Collector.

Further report to be made of ſpirits, wines and teas.

And the maſter, or other perſon having the charge or command of any ſhip or veſſel, having on board diſtilled ſpirits, wines or teas, ſhall within forty-eight hours after his arrival as aforeſaid, whether the ſame be at the firſt port of arrival of ſuch ſhip or veſſel, or not, ſhall, in addition to the requirements before mentioned, report in writing to the ſurveyor or officer acting as inſpector of the revenue of the port, at which he ſhall ſo arrive, the foreign port or place from which he laſt ſailed, the name of his veſſel, his own name, the burthen and denomination of ſuch ſhip or veſſel, and whether a ſhip or veſſel of the United States, or to what other nation belonging, together with the quantity, and kinds of ſpirits, wines and teas on board of the ſaid ſhip or veſſel, particularizing the number of caſks, veſſels, caſes or other packages containing the ſame, with their marks and numbers, as alſo the quantity and kinds of ſpirits, wines and teas on board ſuch ſhip or veſſel, as ſea ſtores, on pain of forfeiting and paying the ſum of five hundred dollars, and of the loſs of the ſpirits ſo omitted; and the form of ſaid report ſhall be as follows, to wit:

Penalty on failure therein.

Form of report of ſpirits, wines and teas.

Report of diſtilled ſpirits, wines and teas, imported in the (here inſert the name and denomination of the veſſel) built in (here inſert where built in the United States, or to what foreign nation belonging) burthen (here inſert the tonnage of the veſſel) whereof (here inſert the name of the maſter) from (here inſert the foreign port, from which the veſſel laſt ſailed) bound to (here inſert the port or ports to which deſtined in the United States.)

Marks.	Numbers of caſks, cheſts and packages inclusive.	Deſcription of caſks, cheſts and packages inclusive.	Kinds and qualities of ſpirits, wines and teas.	Eſtimated gallons of ſpirits of each kind.	Eſtimated gallons of wines of each kind.	Eſtimated pounds of teas of each kind.	To whom conſigned.	Where conſigned.

Sea ſtores conſiſting of ſpirits, wines and teas. (Here inſert the quantities particularly.)

(Signed)

A. B. maſter of

To

Inſpector of the revenue for the port of

Penalty on failing to make report.

And if the ſaid maſter, or other perſon having the charge or command of any ſuch ſhip or veſſel, ſhall neglect, or omit to make the ſaid reports, or either of them (other than that required to be made to the ſurveyor, inſpector of the revenue as aforeſaid) and the declaration or

declarations, or to take the ſaid oath as required, or ſhall not fully comply with the true intent and meaning of this ſection, as the caſe may be, he ſhall, for each and every offence, forfeit and pay the ſum of one thouſand dollars.

Ships of war and public packets need not make report.

Sec. 31. *And be it further enacted*, That it ſhall not be neceſſary for the maſter, or perſon having the charge or command of any ſhip or veſſel of war, or of any ſhip or veſſel employed by any prince, or ſtate, as a public packet for the conveyance of letters and diſpatches, and not permitted by the laws of ſuch prince or ſtate, to be employed in the tranſportation of goods, wares, or merchandiſe, in the way of trade, to make ſuch report and entry as aforeſaid.

Veſſels may proceed to foreign ports with goods brought in them, on giving bond.

Sec. 32. *And be it further enacted*, That it ſhall be lawful for any ſhip or veſſel to proceed with any goods, wares, or merchandiſe, brought in her, and which ſhall, in the manifeſt firſt delivered to any officer receiving the ſame, be reported as deſtined, or intended for any foreign port or place, from the diſtrict within which ſuch ſhip or veſſel ſhall firſt arrive, to ſuch foreign port or place, without paying or ſecuring the payment of any duties upon ſuch of the ſaid goods, wares, or merchandiſe as ſhall be actually re-exported in the ſaid ſhip or veſſel accordingly, any thing herein contained to the contrary notwithſtanding: *Provided always*, That the ſaid maſter, or perſon having the charge or command of the ſaid ſhip or veſſel, ſhall firſt give bond, with one or more ſureties, in a ſum equal to the amount of the duties upon the ſaid goods, wares, or merchandiſe, as the ſame ſhall be eſtimated by the collector and naval officer of the port, where the ſaid report ſhall be made, to the ſatisfaction of the ſaid collector, with condition that the ſaid goods, wares, or merchan-

diſe, or any part thereof, ſhall not be landed within the United States, unleſs due entry thereof ſhall have been firſt made, and the duties thereupon paid, or ſecured to be paid, according to law; which bonds ſhall be taken for the ſame periods, and cancelled in like manner, as bonds hereinafter directed to be given for obtaining drawbacks of duties: And the form of the ſaid bonds ſhall be as follows, to wit:

Form of ſuch bond.

Know all men, by theſe preſents, That we (here inſert the name of the maſter of the veſſel, and the name or names of the ſureties) are held and firmly bound unto the United States of America, in the ſum of to be paid to the ſaid United States: for which payment well and truly to be made, we bind ourſelves, our heirs, executors, and adminiſtrators, jointly and ſeverally, firmly by theſe preſents: Sealed with our ſeals, dated this day of in the year of the independence of the United States, and in the year of our Lord one thouſand

Whereas the following deſcribed packages of goods, wares, and merchandiſe, (here inſert the marks, numbers, denomination, and number of packages, and contents, as far as may be, and if articles in bulk, the quantity and quality) imported into the diſtrict of in the (inſert the denomination and name of veſſel) whereof (inſert name) is maſter, from (inſert port or place where from) on the (inſert date of veſſel's entry) as per report and manifeſt then delivered by the ſaid maſter, are now about to be exported and conveyed in the ſaid (inſert denomination and name of veſſel) to the port of (inſert name of the port intended for) and whereas the duties that would have become due on the ſaid goods, wares, and merchandiſe, had the ſame been unladen here and not ſo exported would have amounted to the aforeſaid ſum of

Now therefore, the condition of this obligation is such, That if the above bounden shall and do within months from the date hereof, produce to the collector of this district, the certificates required by law, that the said enumerated (packages of merchandise, or articles in bulk as the case may be,) have been exported to and landed at the aforesaid port of or at any other port or place without the limits of the United States, or if neither the whole, nor any part of the said goods, wares and merchandise, shall be landed within the limits of the said United States, until due entry thereof shall have been first made, and the duties thereon paid or secured to be paid according to law, then the above obligation to be void, otherwise to be, and remain in full force and virtue.

Sealed and delivered }
in the presence of }

Provided nevertheless, That such bond shall not be required in respect to the goods on board of any ship or vessel which shall have put into the United States from necessity, to be made to appear in manner herein after prescribed: And the collector receiving such bonds, or any other bonds taken upon the exportation of merchandise entitled to drawback, is hereby required and enjoined, immediately after the time when by the conditions of the same, they ought to be cancelled, to put the same in suit; provided the necessary proof shall not have been produced, or further time granted therefor by the Comptroller of the Treasury.

Vessels coming in thro' necessity need not give bond.

Collector to put certain bonds in suit, if not cancelled.

Sec. 33. *And be it further enacted*, That it shall be lawful for any ship or vessel in which any goods, wares or merchandise shall be brought into the United States, from any foreign port or place, and which shall be specified in the manifest, verified on oath, or affirmation, before

Vessels may proceed from district to district with certain goods.

the collector of the port in which such ship or vessel shall first arrive, to be destined for other districts, to proceed with the same from district to district within the United States, in order to the landing, or delivery thereof, and the duties on such of the said goods only as shall be landed in any district, shall be paid or secured to be paid within such district.

Duties to be paid or secured in the district where the goods are landed.

Sec. 34. *And be it further enacted*, That before any ship or vessel shall depart from the district in which she shall first arrive for another district (provided such departure be not within forty-eight hours after her arrival within such district) with goods, wares or merchandise, brought in such ship or vessel from a foreign port or place, the duties whereof shall not have been paid or secured, the master or person having the charge or command of such ship or vessel, shall obtain from the collector of the district from which she shall be about to depart (who is hereby required to grant the same) a copy of the report and manifest made by such master, or other person having the charge or command of such ship or vessel, certified by the said collector, to which copy shall be annexed a certificate of the quantity and particulars of the goods which shall appear to him to have been landed within his district, or of the quantity and particulars of the goods which remain on board and upon which the duties are to be paid, or secured to be paid, in some other district.

The master of a vessel bound to another district to obtain a copy of his report and manifest, &c.

The form of which certificate shall be as follows :—

District of
Port of

These are to certify, that the within is a true copy of the report and manifest of the cargo of the (insert the denomination and name of the vessel) whereof (insert the name) is master from (insert the port where from) entered at this port

the (inſert the day and month of entry) as exhibited on (oath or affirmation) by the ſaid maſter: That no part of the ſaid cargo as expreſſed in ſuch manifeſt, hath been unladen or landed at this port: (or as the caſe may require) That there hath been unladen and landed at this port, and the duties paid or ſecured to be paid on the following articles, (or) That all the ſaid cargo as expreſſed in the ſaid manifeſt hath been duly entered and landed in this diſtrict according to law, except the following articles (here enumerate the marks, numbers, packages and contents, or if articles in bulk, the quantities, whether landed or remaining on board, as the caſe may require) and that bond hath here been entered as the law directs for the delivery of the (inſert the whole or remaining part, as the caſe may require) of the ſaid cargo, at the (inſert the port and diſtrict of deſtination.)

Witneſs our hands and ſeals, this day of

A. B. Collector.
C. D. N. Offi.

And at the other diſtrict make report and exhibit his firſt report.

And within twenty-four hours after the arrival of ſuch ſhip or veſſel within any other diſtrict, the ſaid maſter, or perſon having the charge or command of ſuch ſhip or veſſel, ſhall make report or entry, to or with the collector of ſuch other diſtrict, producing and ſhewing the ſaid certified copy of his ſaid firſt report, together with a certificate from each collector of any other diſtrict, within which any of the goods, wares, or merchandiſe, brought in ſuch ſhip or veſſel, ſhall have been before landed; of the quantity and particulars of ſuch goods, wares, or merchandiſe, as ſhall have been ſo landed in each diſtrict reſpectively; except in the ſtate of Georgia, where ſuch report ſhall be made within forty-eight hours: *Provided always*, That the maſter or perſon having the charge or command

Bond to be given on the tranſportation of goods from diſtrict to diſtrict.

of the ſaid ſhip or veſſel, ſhall firſt give bond, with one or more ſureties, to the ſatisfaction of the collector of the diſtrict within which the ſaid ſhip or veſſel ſhall firſt arrive, in a ſum equal to the amount of the duties on the reſidue of the ſaid goods, according to ſuch eſtimate as the ſaid collector ſhall form thereof, with condition, that the ſaid reſidue of ſuch goods ſhall be duly entered and delivered in ſuch other diſtrict, or diſtricts of the United States, for which the ſame ſhall have been reported to be deſtined.

And the form of the ſaid bond ſhall be as follows:—

Know all men by theſe preſents, that we (here inſert the name of the maſter of the veſſel, and the name or names of the ſureties) are held and firmly bound unto the United States of America, in the ſum of to be paid to the ſaid United States; for which payment well and truly to be made, we bind ourſelves, our heirs, executors, and adminiſtrators, jointly and ſeverally, firmly by theſe preſents: Sealed with our ſeals; dated this day of in the year of the independence of the ſaid United States; and in the year of our Lord one thouſand

Whereas the following goods, wares and merchandiſe (here inſert the marks, number, denomination and number of packages and contents, as far as may be, or if articles in bulk, the quantity and quality) imported into the diſtrict of in the (inſert the denomination and name of veſſel) whereof (inſert name) is maſter, from (inſert name of port, &c.) on the (inſert date of veſſel's entry) as per report and manifeſt then delivered by the ſaid maſter; are now intended to be exported and conveyed in the ſaid (inſert the denomination and name of the veſſel) to the diſtrict of (inſert the diſtrict or diſtricts where intended to be ſent) and whereas the duties that would have become due on the ſaid goods,

wares, and merchandiſe, had the ſame been unladen would have amounted to the aforeſaid ſum of

Now therefore the condition of this obligation is ſuch, that if the above bounden ſhall and do within ſix months from the date hereof, produce to the collector of this diſtrict the certificates required by law, that the ſaid enumerated (packages of merchandiſe, or articles in bulk as the caſe may be,) have been duly entered and delivered at the aforeſaid diſtrict of or any other port or diſtrict of the United States, then the above obligation to be void, otherwiſe to be and remain in full force and virtue.

Sealed and delivered }
in the preſence of }

How the ſaid bond ſhall be cancelled.

And the ſaid bond ſhall be cancelled or diſcharged within ſix calender months from the date thereof, by the production of a certificate or certificates from the collector or collectors of the diſtrct or diſtricts for which the ſaid goods ſhall have been reported, teſtifying the due entry and delivery of the ſaid goods, in ſuch diſtrict or diſtricts, or upon due proof to the ſatisfaction of the collector by whom the ſaid bond ſhall have been taken, and to the naval officer of ſuch port (if any) that ſuch entry and delivery were prevented by ſome unavoidable accident or caſualty, and that if the whole, or any part of the ſaid goods, ſhall not have been loſt, that the ſame have been duly entered and delivered within the United States.

And the form of the certificate aforeſaid ſhall be as follows:—

Diſtrict of
Port of

Theſe are to certify, that there have been unladen and landed at this port, from on board the (inſert the denomination and name of the

veſſel) whereof (inſert the name) is maſter from (inſert diſtrict and port where from) the following packages of merchandiſe (here detail the ſeveral packages with their reſpective denominations, their marks and numbers, and if any articles in bulk, the quantities delivered) for which the duties have been (paid or ſecured) at the aforeſaid port of (inſert the port.) Witneſs our hands and ſeals this day of

A. B. Collector.
C. D. N. Officer.

Penalty on failing to obtain copy of the firſt report, &c.

And if the maſter, or other perſon having the charge or command of any ſuch ſhip or veſſel, ſhall fail by his neglect or fault to obtain the ſaid copy of his ſaid report, from the collector of the diſtrict from which he ſhall be ſo about to depart, or of any certificate which he ought to obtain as aforeſaid, or ſhall neglect to produce and ſhew the ſame to the collector of any other diſtrict, to which the ſaid ſhip or veſſel ſhall afterwards proceed within the time for that purpoſe herein before ſpecified, he ſhall forfeit and pay, for every ſuch neglect or omiſſion, five hundred dollars.

Duty of maſters of veſſels proceeding from diſtrict to diſtrict with ſpirits, wines and teas.

Sec. 35. *And be it further enacted*, That in addition to the proviſions and requirements aforeſaid, it ſhall be the duty of each and every maſter, or other perſon having the charge or command of any ſhip or veſſel, arriving from any foreign port or place, having on board diſtilled ſpirits, wines, or teas, other than ſea ſtores, intended to be tranſported from one port in the United States, to another port in the ſaid United States, whether in the ſame or in different diſtricts, previous to the departure of ſuch ſhip or veſſel from the port at which ſhe ſhall firſt arrive, to apply to the ſurveyor or officer acting as inſpector of the revenue for the port, for a certificate of the quantity and particulars of ſuch ſpirits, wines, or teas, as ſhall have been

certified, or reported to him to have been imported in ſuch ſhip or veſſel, and of the quantity and particulars of ſuch ſpirits, wines, or teas, as ſhall appear to have been landed out of ſuch ſhip at ſuch port; which certificate the ſurveyor or inſpector of the revenue ſhall forthwith grant, and the maſter or perſon having the charge or command of ſuch ſhip or veſſel, ſhall, within twenty-four hours after her arrival at the port to which ſhe ſhall be bound, deliver the ſaid certificate to the ſurveyor, or perſon acting as inſpector of the revenue of ſuch laſt mentioned port; and if ſuch ſhip or veſſel ſhall proceed from one port to another within the United States, with the whole or any part of the ſpirits, wines or teas brought in her as aforeſaid, without having firſt obtained ſuch certificate, or if within twenty-four hours after her arrival at ſuch other port, the ſaid certificate ſhall not be delivered to the ſurveyor or inſpector as aforeſaid, the maſter or perſon having the charge or command of the ſaid ſhip or veſſel ſhall, in either caſe, forfeit the ſum of five hundred dollars, and the ſpirits, wines or teas on board her ſhall be forfeited and may be ſeized.

Penalty on failing to comply with thoſe duties.

And the form of the ſaid certificate ſhall be as follows:—

Diſtrict of

Office of Inſpection for the Port of

I certify that the within is a true copy of the report made to me of diſtilled ſpirits, wines and teas imported in the (inſert the name and denomination of the veſſel) built in (here inſert where built in the United States, or to what foreign nation belonging) burthen (here inſert the tonnage of the veſſel) whereof (here inſert the name of the maſter) from (here inſert the foreign port from which the veſſel laſt ſailed) bound to (here inſert the port or ports to which

Form of inſpector's certificate for ſpirits, wines and teas, tranſported from diſtrict to diſtrict.

deſtined in the United States,) That no part of the ſaid ſpirits, wines or teas hath been unladen or landed at this port (or as the caſe may require.) That there have been landed at this port in purſuance of permits for that purpoſe, the following quantities, to wit; (here inſert the marks, number, deſcription of packages, caſks, cheſts, kinds and quantities of all ſpirits, wines and teas landed at the port of inſpection, agreeably to the form preſcribed for the report) and no other or greater quantities than are above expreſſed, (or) That all the ſaid ſpirits, wines and teas have been duly landed in this diſtrict, except the following, the duties whereof are to be paid or ſecured to be paid in the diſtrict of (inſert the diſtrict of deſtination and enumerate the marks, numbers, deſcription of caſks, cheſts or other packages, kinds and quantities of all ſpirits, wines and teas, which remain on board.)

Witneſs my hand the day and year aforeſaid,

A. B. Inſpector of the revenue for the Port of

Certificate to be had of the inſpector at the port of delivery.

And each and every ſurveyor, or officer acting as inſpector of the revenue, for any port at which a ſhip or veſſel may arrive with a certificate as aforeſaid, ſhall certify in manner aforeſaid all deliveries of ſpirits, wines or teas, made at their reſpective ports, which certificate ſhall be annexed to the certificate granted at the port of original importation.

Entry of goods to be made within 15 days after the maſter's report.

Sec. 36. *And be it further enacted*, That the owner or owners, conſignee or conſignees of any goods, wares or merchandiſe, on board of any ſuch ſhip or veſſel, or in caſe of his, her or their abſence or ſickneſs, his, her or their known agent or factor, in his, her or their names, within fifteen days after the report of the maſter, or perſon having the charge or command of ſuch ſhip or veſſel, to the collector of the diſtrict for

which ſuch goods, wares or merchandiſe ſhall be deſtined, ſhall make entry thereof in writing with the ſaid collector, and ſhall in ſuch entry ſpecify the veſſel and maſter's names in which, and the port or place from whence ſuch goods, wares or merchandiſe were imported, the particular marks, numbers, denomination and prime coſt, including charges of each particular package or parcel whereof the entry ſhall conſiſt, or if in bulk, the quantity, quality and prime coſt, including charges thereof, particularly ſpecifying the ſpecies of money in which the invoices thereof are made out; and ſhall alſo produce to the ſaid collector and naval officer (if any) the original invoice or invoices of the ſaid goods, wares or merchandiſe, or other documents received in lieu thereof, or concerning the ſame, in the ſame ſtate in which they were received, with the bill or bills of loading for the ſame; which invoices ſhall be ſigned by the perſons in the offices of the collector and naval officer, who ſhall have compared and examined the ſame; and the ſaid entry or entries ſhall, as the nature of the caſe will admit or require, be agreeably to the form following, to wit:

Entry of Merchandiſe imported by (inſert the name of the importer or conſignee) in the (inſert the name and denomination of the veſſel, and maſter's name) from (inſert the place from which arrived) (inſert date of entry.) Form of entry.

Marks
Numbers inclusive
Packages and contents.
Quantity per invoice of articles not ſubject to ſpecific duties.
Value of articles ſubject to ſpecific duties.
Value ſubject to 10 per cent ad valorem.
Value ſubject to 12 1-2 per cent ad valorem.
Value ſubject to 15 per cent ad valorem.
Value ſubject to 20 per cent ad valorem.
Value ſubject to 40 per cent ad valorem.
Amount of free goods.
Charges not ſubject to duty.
Total amount per invoice.

Form of the entry may be varied.

Provided, That the form before mentioned ſhall and may be varied and adapted to any alterations which may be made in the rates of duties upon goods, wares and merchandiſe, hereafter to be imported into the United States. And the entry or entries to be made by any importer, conſignee or agent as aforeſaid, ſhall be verified by the oath or affirmation of the perſon making the ſame, the form of which oath or affirmation ſhall, as the caſe may require, be as follows, to wit:

Oath to be made on entry.

Diſtrict of
Port of

Form of the oath.

I (here inſert the name of the perſon making the entry) do ſolemnly, ſincerely and truly ſwear (or affirm) that the entry now ſubſcribed with my name, and delivered by me to the collector of (inſert the name of the diſtrict) contains a juſt and true account of all the goods, wares and merchandiſe imported for ſale, or intended to be landed in this diſtrict, for me or on my account, or on account of any houſe of trade or partnerſhip in which I am concerned, in this diſtrict, or which actually came conſigned to me, or to any houſe of trade or partnerſhip in which I am concerned, or (if the entry be made by an agent) imported by, or conſigned to (inſert the name of the perſon or firm for whom entry is made) and intended for ſale or to be landed in this diſtrict, in the (inſert the name and denomination of the veſſel) whereof (inſert the name of the maſter) is maſter, from (inſert the name of the port from which the veſſel arrived) that the ſaid entry contains a juſt and true account in (inſert the denomination of money in which the invoices and entry are made) of the coſt thereof, including all charges; that the invoice or invoices and bill or bills of loading now produced by me, are the true, genuine and only invoices and bills of loading by me

received, of the ſaid goods, wares and merchandiſe imported or conſigned as aforeſaid, and the only invoices by which I have been charged, or for which I am to account, and that the ſaid invoices and bills of loading are in the auctual ſtate in which they were received by me, and that I do not know of any other invoices or account of the ſaid goods, wares or merchandiſe, different from what is or are here produced: I do further ſwear (or affirm) that if I hereafter diſcover any other or greater quantity of goods, wares or merchandiſe, than is contained in the entry aforeſaid, or ſhall receive any invoice of the whole or any part thereof, other in quantity, quality and price than has been now exhibited, I will immediately and without delay report the ſame to the collector of this diſtrict: I alſo ſwear (or affirm) that nothing has been concealed or ſuppreſſed in the entry aforeſaid, whereby to avoid the juſt payment of the duties impoſed by the laws of the United States, and that all matters are juſtly and truly expreſſed therein, according to my beſt knowledge and belief. So help me God.

Sworn (or affirmed) this day of
before A. B. Collector.

Provided, That whenever any entry ſhall be made with the collector of any diſtrict, of merchandiſe imported into the United States ſubject to duty, by any agent, factor, or perſon, other than the perſon to whom they belong, or to whom they are ultimately conſigned, it ſhall be the duty of the collector to take a bond with ſurety from ſuch agent, factor or perſon (other than the bond or for ſecuring the duties, in the penal ſum of one thouſand dollars) with condition that the bona fide owner or conſignee of ſuch goods, wares or merchandiſe, ſhall, on or before the firſt day of payment ſtipulated in the bond or bonds for ſecuring the duties, deliver,

When entry is made by an agent, he ſhall give bond, conditioned for producing an account of the goods, verified by the owner.

or cauſe to be delivered to the ſaid collector, a full and correct account of the ſaid goods, wares and merchandiſe imported by him, or for him on his own account, or conſigned to his care, in the ſame manner and form as required by this ſection in reſpect to an entry previous to the landing of any merchandiſe, which account ſhall be verified as in the caſe of an entry, by a like oath or affirmation, to be taken and ſubſcribed before any judge of the United States, or the judge of any court of record of a ſtate, or before a collector of the cuſtoms of the ſame or ſome other diſtrict; and in caſe of the payment of the duties, at the time of entry, by any factor or agent, on the goods, wares or merchandiſe entered by him, the condition of the bond aforeſaid ſhall be to produce the account of the proper owner, or conſignee, verified in manner as before directed, within ninety days from the date of ſuch bond.

And the form of the ſaid bond ſhall be as follows, to wit:

Form of bond to be given by the agent.

Know all men by theſe preſents, that we (here inſert the names of the principal ſurety or ſureties) are held and firmly bound unto the United States of America, in the ſum of one thouſand dollars, for the payment of which well and truly to be made, we bind ourſelves, our heirs, executors and adminiſtrators, jointly and ſeverally, by theſe preſents.

Witneſs our hands and ſeals this day of one thouſand ſeven hundred and ninety

Whereas the above bounden has this day duly entered at the cuſtom houſe of and (paid or ſecured to be paid, as the caſe may be) the duties on ſundry goods, wares and merchandiſe imported in the (inſert the denomination and name of the veſſel) whereof (inſert name) is maſter, from (inſert port or place where from)

as particularly enumerated in the entry thereof made and ſubſcribed by the ſaid in behalf of (inſert the name or names of the perſon or perſons, actual owners, or conſignees) bearing equal date herewith.

The condition of this obligation therefore is ſuch, that if the ſaid bounden ſhall, on or before the deliver or cauſe to be delivered to the collector of the cuſtoms for the diſtrict of (inſert name of the diſtrict where the bond is taken) a full and correct account from the ſaid (inſert name of the actual owner or conſignee) of the aforeſaid merchandiſe imported by him on his own account, or conſigned to his care, verified by the oath of the ſaid being the proper owner or conſignee, in manner and form as would be required if he were perſonally preſent, taken before any judge of the United States, or of a court of record of a ſtate, or before the collector of any other diſtrict, then this obligation ſhall be null and void, otherwiſe it ſhall be and remain in full force and virtue.

Sealed and delivered }
in the preſence of }

Provided always, That where the particulars of any goods, wares or merchandiſe ſhall be unknown, in lieu of the entry herein before directed to be made, an entry thereof ſhall be made and received according to the circumſtances of the caſe, the party making the ſame, declaring upon oath all that he or ſhe knows or believes concerning the quality and particulars of the ſaid goods, wares and merchandiſe, and that he or ſhe hath no other knowledge or information concerning the ſame; which entry, as well the firſt as the laſt, ſhall be made in writing, and ſhall be ſubſcribed by the party making the ſame, if by the proper owner or

Manner of making an entry, where the particulars of goods are not known.

conſignee, in their own name, or if by an agent, factor or perſon other than ſuch owner or conſignee, in his or their names, as agents or factors for ſuch owner or conſignee: *Provided*, That in every caſe in which the entry of any goods, wares or merchandiſe ſhall be imperfect, for want of invoices, bills of loading, or for any other cauſe, it ſhall be the duty of the collector to take the ſaid goods, wares and merchandiſe into his cuſtody, until the quantity, quality or value thereof, as the caſe may require, can be aſcertained in manner hereafter directed and preſcribed.

In caſe of an imperfect entry the collector is to take the goods into cuſtody.

Sec. 37. *And be it further enacted*, That every importer of diſtilled ſpirits, wines or teas, or perſon to whom diſtilled ſpirits, wines or teas are conſigned, ſhall make a ſeparate and additional entry thereof, ſpecifying the name of the veſſel, and maſter, in which, and the place from whence, ſuch ſpirits, wines or teas were imported, together with the quantity and quality thereof, and a particular detail of the cheſts, caſks, or veſſels containing the ſame, with their marks and numbers, which entry ſhall be ſubſcribed by the perſon making the ſame, for himſelf, or in behalf of the perſon for whom ſuch entry is made; and ſhall be certified by the collector, before whom the ſame is made, as being a true copy, and conformable to the general entry before directed, in reſpect to all diſtilled ſpirits, wines and teas therein contained; which entry thus certified ſhall be tranſmitted to the ſurveyor or officer acting as inſpector of the revenue for the port, where it is intended to commence the delivery of ſuch ſpirits, wines or teas ſo entered, or any part thereof: And every permit granted by ſuch collector and naval officer, where any, for the unlading of ſaid ſpirits, wines or teas, or any part thereof, ſhall previous to ſuch landing or unlading thereof

Separate entry to be made of ſpirits, wines and teas.

be produced to the ſaid officer of inſpection, who ſhall record or regiſter in proper books the contents thereof, and ſhall endorſe thereupon the word, "*Inſpected*," the time when, and his own name; after which he ſhall return the ſaid permit to the perſon by whom it ſhall have been produced, and then, and not otherwiſe, it ſhall be lawful to land the ſpirits, wines or teas therein ſpecified; and if the ſaid ſpirits, wines or teas ſhall be landed without ſuch endorſement upon the permit granted for that purpoſe, the maſter, or other perſon having the charge or command of the ſhip or veſſel from which the ſame ſhall have been ſo landed, ſhall for every ſuch offence forfeit and pay the ſum of five hundred dollars, and the ſpirits, wines or teas ſo landed ſhall be forfeited.

Spirits, wines and teas to be landed under inſpection.

Sec. 38. *And be it further enacted*, That all diſtilled ſpirits, wines and teas ſhall be landed under the inſpection of the ſurveyor, or other officer acting as inſpector of the revenue for the port, and ſuch of the inſpectors of the cuſtoms as ſhall be deputed by him for that purpoſe, and not otherwiſe, on pain of forfeiture thereof, for which purpoſe the ſaid officer or officers ſhall at all reaſonable times attend; *Provided*, That this ſhall not be conſtrued to exclude the inſpection of any officer of the cuſtoms, as now or heretofore practiſed.

Spirits, wines and teas to be marked.

Sec. 39. *And be it further enacted*, That the officers of inſpection of any port where diſtilled ſpirits, wines or teas ſhall be landed, ſhall, upon the landing thereof, and as ſoon as the caſks, cheſts, veſſels and caſes, containing the ſame, ſhall be inſpected, gauged or meaſured, brand or otherwiſe mark in durable characters, the ſeveral caſks, cheſts, veſſels and caſes containing the ſame, and the ſaid marks ſhall expreſs the number of caſks, cheſts, veſſels or caſes, whe-

ther of ſpirits, wines or teas, marked by each officer reſpectively, in each year, in progreſſive numbers for each of the ſaid articles; alſo the port of importation, the name of the veſſel, and the ſurname of the maſter; alſo each kind of ſpirits, wines or teas, for which different rates of duty are or ſhall be impoſed, the number of gallons in each caſk or caſe, if ſpirits or wines; the rate of proof if ſpirits, and the number of pounds weight if teas; alſo the name of the ſurveyor or chief officer of inſpection for the port, and the date of importation; of all which particulars the chief officers of inſpection ſhall keep fair and correct accounts, in books to be provided for that purpoſe.

General certificate to be given to the importer of ſpirits, wines or teas.

Sec. 40. *And be it further enacted*, That the ſurveyor or chief officer of inſpection as aforeſaid, within the port or diſtrict in which the ſaid ſpirits, wines or teas ſhall be landed, ſhall give to the proprietor, importer or conſignee thereof, or his or her agent, a certificate, to remain with him or her, of the whole quantity of the ſaid ſpirits, wines or teas, which ſhall have been ſo landed; which certificate, beſides the quantity, ſhall ſpecify the name of ſuch proprietor, importer, conſignee or agent, and of the veſſel from on board which the ſaid ſpirits, wines or teas ſhall have been landed, and of the marks of each caſk, cheſt, veſſel or caſe containing the ſame; which certificate ſhall be of the form following, to wit:

Diſtrict of
Inſpector's Office, No.
Port of

Form thereof.

I certify, that (here inſert the name of the proprietor, importer or conſignee) imported into this diſtrict on the (here inſert the date of importation) in the (here inſert the name of the veſſel, and whether of the United States or foreign, and the name of the maſter) from (here

inſert the place from which imported, the number of, and whether caſks, cheſts, veſſels or caſes) of (here inſert whether ſpirits, wines or teas, and the kind of each) marked as per margin (inſert in the margin the marks and numbers, if any, at the time of importation) which (here inſert whether caſks, cheſts, veſſels or caſes) have been marked as follows (here inſert the marks of the inſpector of the port) containing (here inſert the quantity of ſpirits, wines or teas) according to returns made to this office.

A. B. Inſpector.

Particular certificate to be given to the importer to accompany each caſk, &c.

Sec. 41. *And be it further enacted*, That the ſurveyor, or chief officer of inſpection as aforeſaid, ſhall in addition to the general certificate aforeſaid, give to the proprietor, importer or conſignee of any diſtilled ſpirits, wines or teas, or his or their agent, a particular certificate, which ſhall accompany each caſk, cheſt, veſſel or caſe of diſtilled ſpirits, wines or teas, wherever the ſame may be ſent, within the limits of the United States, as evidence that the ſame have been lawfully imported; and which certificate ſhall be of the form following, to wit:

No. Diſtrict of
Port of

Form thereof.

I certify, that there was imported into this diſtrict on the (here inſert the date of importation) by (here inſert the name of the proprietor, importer or conſignee) in the (here inſert the name of the veſſel, the ſurname of the maſter, and whether a veſſel of the United States or a foreign veſſel) from (here inſert the place from which imported) one (here inſert whether caſk, cheſt, veſſel or caſe, by the proper name) of (here inſert whether ſpirits, wines or teas, and the kind of each) numbered and marked as per margin, (the marks of the inſpector to be inſerted in the margin) containing (here inſert the number of gallons and rate of proof, if

ſpirits, or gallons, if wines, or the number of pound weight nett if teas.)

A. B. Superviſor.

Counterſigned by
C. D. Inſpector.

Supervi-ſors to provide blank cer-tificates.

Sec. 42. *And be it further enacted*, That the ſuperviſors of the ſeveral diſtricts ſhall provide blank certificates, under ſuch checks and devices as ſhall be preſcribed by the proper officers of the Treaſury, and ſhall number, ſign and deliver the ſame to the officers who may perform the duties of inſpectors of the revenue, for the ſeveral ports in their reſpective diſtricts; which blank certificates ſhall be filled up and counterſigned by the inſpectors of the revenue aforeſaid, who ſhall be accountable therefor to the ſuperviſors; and the ſaid inſpectors ſhall make regular and exact entries of all certificates which ſhall be granted as aforeſaid, as particularly as therein deſcribed.

On ſale, certificate to be de-livered to the pur-chaſer.

Sec. 43. *And be it further enacted*, That the proprietor, importer, or conſignee, or his or her agent, who may receive ſaid certificates, ſhall upon the ſale or delivery of any of the ſaid ſpirits, wines or teas, deliver to the purchaſer or purchaſers thereof, the certificate or certificates which ought to accompany the ſame, on pain of forfeiting the ſum of fifty dollars for each caſk, cheſt, veſſel or caſe, with which ſuch certificate ſhall not be delivered;—And if any caſks, cheſts, veſſels or caſes, containing diſtilled ſpirits, wines or teas, which by the foregoing proviſions ought to be marked and accompanied with certificates, ſhall be found in the poſſeſſion of any perſon unaccompanied with ſuch marks and certificates, it ſhall be preſumptive evidence that the ſame are liable to forfeiture; and it ſhall be lawful for any officer of the cuſtoms or of inſpection to ſeize them as forfeited; and if

Abſence of certifi-cates to be pre-ſumptive evidence for forfei-ture of ſpirits, wines and teas.

upon the trial in conſequence of ſuch ſeizure, the owner or claimant of the ſpirits, wines or teas ſeized, ſhall not prove that the ſame were imported into the United States according to law, and the duties thereupon paid or ſecured, they ſhall be adjudged to be forfeited.

On the ſale of caſks, &c. which have been emptied, the marks to be defaced in preſence of an officer.

Sec. 44. *And be it further enacted*, That on the ſale of any caſk, cheſt, veſſel or caſe, which has been or ſhall be marked purſuant to the proviſions aforeſaid, as containing diſtilled ſpirits, wines or teas, and which has been emptied of its contents, and prior to the delivery thereof to the purchaſer, or any removal thereof, the marks and numbers, which ſhall have been ſet thereon by or under the direction of any officer of inſpection, ſhall be defaced and obliterated in the preſence of ſome officer of inſpection or of the cuſtoms, who ſhall on due notice being given attend, for that purpoſe, at which time the certificate which ought to accompany ſuch caſk, cheſt, veſſel or caſe, ſhall alſo be returned and cancelled: And every perſon, who ſhall obliterate, counterfeit, alter or deface any mark or number placed by an officer of inſpection upon any caſk, cheſt, veſſel or caſe, containing diſtilled ſpirits, wines or teas, or any certificate thereof; or who ſhall ſell or in any way alienate or remove any caſk, cheſt, veſſel or caſe, which has been emptied of its contents, before the marks and numbers, ſet thereon purſuant to the proviſions aforeſaid, ſhall have been defaced or obliterated, in preſence of an officer of inſpection as aforeſaid; or who ſhall neglect or refuſe to deliver the certificate iſſued to accompany the caſk, cheſt, veſſel or caſe, of which the marks and numbers ſhall have been defaced or obliterated in manner aforeſaid, on being thereto required by an officer of inſpection or of the cuſtoms, ſhall for each and every ſuch offence forfeit and pay one hundred dollars, with coſts of ſuit.

Penalty on defacing, &c. marks &c. on caſks, &c. or certificates; or ſelling caſks, &c. or refuſing to deliver up certificates.

Report of sea stores to be made.

Sec. 45. *And be it further enacted*, That in order to ascertain what articles ought to be exempt from duty, as the sea stores of a ship or vessel, the master or other person having the charge or command of any ship or vessel shall particularly specify the said articles, in the report or manifest to be by him made, designating them as the sea stores of such ship or vessel; and in the oath to be taken by such master, or other person, on making such report in manner before prescribed, he shall declare that the articles so specified as sea stores are truly such, and are not intended by way of merchandise or for sale; whereupon the said articles shall be free from duty. *Provided always*, That if it shall appear to the collector to whom such report and manifest shall be made and delivered, together with the naval officer where there is one, or alone, where there is none, that the quantities of the said articles, or of any part thereof, so reported as sea stores, are excessive, it shall be lawful for the said collector, jointly with the naval officer, or alone, as the case may be, in his or their discretion, to estimate the amount of the duty on such excess, which shall be forthwith paid by the said master or other person having the charge or command of such ship or vessel, to the said collector, on pain of forfeiting the value of such excess; And if any other or greater quantity of articles are found on board such ship or vessel as sea stores than are specified in such entry, or if any of the said articles shall be landed without a permit first obtained from the collector and naval officer of the port (where any) for that purpose, all such articles as are not included as aforesaid, in the report or manifest delivered on oath or affirmation, as aforesaid, by the master or other person having the charge or command of such ship or vessel, or which shall be landed without such permit as aforesaid, shall

Duties to be paid on excessive quantities thereof.

Penalty on a false entry, and on landing without a permit.

be forfeited, and may be ſeized; and the maſter, or perſon having the command of ſuch ſhip or veſſel, ſhall moreover forfeit and pay treble the amount or value of the articles ſo omitted or landed.

Baggage & mechanical implements exempt fromduty.

Sec. 46. *And be it further enacted*, That from and after the thirtieth day of June next, the wearing apparel, and other perſonal baggage, and the tools or implements of a mechanical trade only, of perſons who arrive in the United States, ſhall be free and exempted from duty; and to aſcertain what articles ought to be exempted, according to the true intent and meaning of the proviſion aforeſaid, it is directed, that due entry thereof, as of other goods, wares and merchandiſe, but ſeparate and diſtinct from that of any other goods, wares and merchandiſe, imported from a foreign port or place, ſhall be made with the collector of the diſtrict in which the ſaid articles are intended to be landed, by the owner or owners thereof, or his, her or their agent, expreſſing the perſons by whom or for whom ſuch entry is made, and particularizing the ſeveral packages, and their contents, with their marks and numbers; and the perſon or perſons who ſhall make the entry, ſhall take and ſubſcribe an oath or affirmation before the ſaid collector, as the caſe may require, in manner following, to wit:

Entry of them to be made.

Diſtrict of ſs.

Port of

Form of oath.

I (here inſert the name of the perſon making the entry) do ſolemnly, ſincerely and truly ſwear (or affirm) that the entry ſubſcribed by me and hereto annexed, contains, to the beſt of my knowledge and belief, a juſt and true account of the contents of the ſeveral (here inſert whether cheſts, caſes or packages) mentioned in the ſaid entry, imported in the (here inſert the name of the veſſel, and maſter's name) from (here

inſert the port from which arrived) and that they contain no goods, wares or merchandiſe whatever, other than the wearing apparel and other perſonal baggage (or if the caſe require) and the tools of the trade of (here inſert what mechanical trade) all of which are the property of (here inſert to whom belonging, and family, as the caſe may require) who has or have arrived (or as the caſe may require) who is or are ſhortly expected to arrive in the United States; and are not directly or indirectly imported for any other perſon or perſons, or intended for ſale.

So help me God.

Bond to be given when entry thereof is made by an agent.

And in caſe the party ſhall be other than the owner of the ſaid articles, he or ſhe ſhall give bond, with one or more ſureties to the ſatisfaction of the ſaid collector, in a ſum equal to what would be the amount of the duties on the ſaid articles, if imported ſubject to duty; the form of which bond ſhall be as follows:

Know all men by theſe preſents, that we (here inſert the names of the principal and ſureties) are held and firmly bound unto the United States of America, in the ſum of to be paid to the ſaid United States; for payment whereof we bind ourſelves, our heirs, executors and adminiſtrators, jointly and ſeverally, firmly by theſe preſents, ſealed with our ſeals. Dated the day of in the year of the independence of the United States, and in the year of our Lord one thouſand

Whereas the above named has this day, for and in behalf of exhibited an entry, ſubſcribed with his name, of the following packages of wearing apparel and other articles as being exempted from duty (here inſert the number and deſcription of packages, together with their marks and numbers) and has made oath before the collector of the diſtrict of that the ſaid articles are the property of the ſaid

that they are truly and bona fide intended for the ſole uſe of himſelf and (family, as the caſe may require) and are not directly or indirectly imported for any other perſon, or intended for ſale;

Now therefore the condition of this obligation is ſuch, that if the ſaid ſhall, within one year from the date hereof, take and ſubſcribe the oath preſcribed by law in ſuch caſe, before the ſaid collector, or if the ſaid oath, duly authenticated, ſhall be produced to the ſaid collector agreeably to the true intent and meaning of the ſaid law; then this obligation to be void, or elſe to remain and be in full force and virtue.

Sealed and delivered }
in the preſence of }

And on compliance with the conditions aforeſaid, and not otherwiſe, a permit ſhall and may be granted for landing the ſaid articles: *Provided nevertheleſs*, That whenever the collector and naval officer (if any) ſhall think proper ſo to do, they may and are hereby authoriſed, in lieu of the proviſions and directions before mentioned, to direct the baggage of any perſon arriving within the United States, to be examined by the ſurveyor of the port, or an inſpector of the cuſtoms, and to make a return of the ſame; and if any articles ſhall be contained therein, which in their opinion ought not to be exempted from duty, according to the true intent and meaning of this act, due entry ſhall be made therefor, and the duties thereon paid or ſecured to be paid: *And provided*, That whenever any article or articles ſubject to duty, according to the true intent and meaning of this act, ſhall be found in the baggage of any perſon arriving within the United States, which ſhall not, at the time of making entry for ſuch baggage, be mentioned to the collector before whom ſuch entry is made by the perſon making

Baggage, &c. may be examined:—

Forfeiture in caſe articles, ſubject to duty and not entered, are found therein.

the ſame, all ſuch articles ſo found ſhall be forfeited, and the perſon in whoſe baggage they ſhall be found, ſhall moreover forfeit and pay treble the value of ſuch articles.

Articles of the growth, &c. of the U. States, when brought back, to be free of duties.

Sec. 47. *And be it further enacted*, That on any goods, wares or merchandiſe, of the growth or manufacture of the United States, which may have been exported to ſome foreign port or place and brought back to the ſaid ſtates, and upon which no drawback, bounty or allowance has been paid, no duty ſhall be demanded. *Provided*, That the regulations herein after preſcribed, for aſcertaining the identity of ſuch goods, wares or merchandiſe, be obſerved and complied with.

Report, entry and oath to be made, in ſuch caſe.

Sec. 48. *And be it further enacted*, That report and entry of goods, wares or merchandiſe, returned as aforeſaid, ſhall be made as in other caſes of goods, wares and merchandiſe imported from a foreign port or place; and proof, by oath or affirmation of the perſon or perſons having knowledge of the facts, ſhall be made to the ſatisfaction of the collector of the diſtrict with whom ſuch entry ſhall be made, jointly with the naval officer, if there be a naval officer, or alone, if there be no naval officer, that the ſaid articles had been exported from the United States, as of the growth, produce or manufacture of the ſame, and of the time when, by whom, in what ſhip or veſſel, and for what port or place, they were ſo exported; the form of which oath or affirmation ſhall be as follows:

Diſtrict of ſs.
Port of

Form of the oath.

I, A. B. do ſolemnly, ſincerely and truly ſwear (or affirm, as the caſe may be) that the ſeveral articles of merchandiſe, mentioned in the entry hereto annexed, are to the beſt of my knowledge and belief, truly and bona fide of the

growth, product or manufacture of the United States (as the case may be) and that they were truly exported and imported as therein expressed, and that no drawback, bounty or allowance has been paid or admitted thereon, or any part thereof. So help me God.

Sworn to,

A. B.

Certificate of their exportation to be produced:

And if the collector, who may receive the entry aforesaid, shall be other than the collector of the district from which the said articles shall have been exported, a certificate of the latter shall be produced to the former, testifying the exportation thereof; the form of which shall be as follows:

Form thereof:

District of
Port of

This is to certify that there were cleared out at this port on the (insert the day of clearance) in the (insert the denomination and name of the vessel) whereof (insert the name) was master, for (insert the port or place for which cleared) the following articles of merchandise (here enumerate the number of packages, their denominatons, marks, and numbers, together with their contents) on which no drawback, allowance or bounty hath been paid or admitted.

A. B. Collector
C. D. Naval Officer.

Permit to be granted.

Whereupon a permit shall and may be granted for landing the same. *Provided*, That if the said certificate cannot be immediately produced, and if the proof otherwise required shall be made, a bond shall and may be given in the following form, with one or more sureties, to the satisfaction of the collector of the district, within which the said articles are intended to be landed, in a sum equal to what the duties would be on the said articles, if they were not of the growth, product or manufacture of the United States:—

Bond may be taken to produce the certificate.

Form of such bond.

Know all men by these presents, that we (insert the name of the principal and sureties) are held and firmly bound unto the United States of America, in the sum of to be paid to the said United States, for which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this day of in the year of the independence of the United States, and in the year of our Lord one thousand seven hundred and ninety

Whereas has this day made entry at the custom house of the port of of the following articles, viz. (here particularize the packages, marks, numbers and contents) as per entry by him subscribed, and hath likewise sworn (or affirmed) before the collector of the said port, that the said articles are of the growth, product or manufacture of the United States, and that they were exported from the district of in the whereof was master, on or about the and whereas the duties on the aforesaid articles, if of foreign growth or importation, would amount to the aforesaid sum of

The condition therefore of this obligation is such, that if the above bounden do, within six months from the date hereof, produce, or cause to be produced, to the collector of the district of a certificate under the hand and seal of the collector (and naval officer if any) of the aforesaid port of of the said articles having been actually exported from thence as herein set forth, subject to no drawback, bounty or allowance, then this obligation to be void and of no effect, otherwise it shall be and remain in full force and virtue.

Sealed and delivered }
in the presence of }

And upon receiving a bond as aforesaid, it shall be lawful for the said collector, and naval officer, where any, to grant a permit for landing of the said articles in like manner as if the said certificate had been produced; and in default of such certificate being produced, within the time limited in such bond, the collector taking the same is required and enjoined to enforce the payment thereof, as in the case of other bonds taken for duties on goods, wares and merchandise imported into the United States.

Manner in which oaths and affirmations are to be taken.

Sec. 49. *And be it further enacted*, That all oaths or affirmations to be taken, upon making of any of the reports or entries, or respecting any of the acts herein mentioned, whether by the master or other person having the charge or command of any ship or vessel, or the owner or consignee of any goods, wares or merchandise, his or her factor or agent, or by any other person, shall be administered by the collector, or officer to or with whom report or entry shall be made, and shall be reduced to writing, and subscribed by the person swearing or affirming, and also by the person administering the said oaths or affirmations.

Duties to be estimated and endorsed on the entry;

And the collector jointly with the naval officer, or alone where there is none, shall, according to the best of his or their judgment or information, make a gross estimate of the amount of the duties on the goods, wares or merchandise, to which the entry of any owner or consignee, his or her factor or agent, shall relate, which estimate shall be endorsed upon such entry, and signed by the officer or officers making the same.

which being paid or secured, permit to land shall be granted.

And the amount of the said estimated duties having been first paid, or secured to be paid, pursuant to the provisions of this act, the said collector shall, together with the naval officer, where there is one, or alone where there is none, grant a permit to land the goods, wares and merchandise, whereof entry

Specification to be contained in such permits.

ſhall have been ſo made, and then, and not before, it ſhall be lawful to land the ſaid goods; and all permits ſhall ſpecify, as particularly as may be, the goods to be delivered, namely, the number and deſcription of the packages, whether trunk, bale, cheſt, box, caſe, pipe, hogſhead, barrel, keg, or any other packages whatever, with the mark and number of each package, and as far as circumſtances will admit, the contents thereof, together with the names of the veſſel and maſter, in which, and the place from whence they were imported; and no goods, wares or merchandiſe ſhall be delivered by any inſpector or other officer of the cuſtoms, that ſhall not fully agree with the deſcription thereof in ſuch permit:—And the form of all permits for the purpoſes aforeſaid, and for deliveries from the public ſtores, ſhall be as follows:—

Port of

To the inſpectors of the port (or) the keeper of the public ſtore (as the caſe may require.)

Form of permits to land.

We certify, that (inſert the name of the actual owner or conſignee) has paid (or) ſecured to be paid (as the caſe may be) the duties on merchandiſe contained in the following packages, in conformity to the entry thereof of this date, which merchandiſe was imported in the (inſert the denomination and name of veſſel, maſter's name, and the port from which arrived) permiſſion is accordingly hereby given to land (or) deliver the ſame, viz. (here particularly inſert the mark, number and denomination of each package, and as far as may be, their contents, noting thoſe articles that are to be either weighed, gauged or meaſured.)

A. B. Collector.
C. D. Naval Officer.

Sec. 50. *And be it further enacted*, That no goods, wares or merchandiſe, brought in any

ſhip or veſſel from any foreign port or place, ſhall be unladen or delivered from ſuch ſhip or veſſel, within the United States, but in open day, that is to ſay, between the riſing and ſetting of the ſun, except by ſpecial licence from the collector of the port, and naval officer of the ſame, where there is one, for that purpoſe, nor at any time without a permit from the collector, and naval officer, if any, for ſuch unlading or delivery; and if any goods, wares or merchandiſe ſhall be unladen or delivered from any ſuch ſhip or veſſel, contrary to the direction aforeſaid, or any of them, the maſter or perſon having the charge or command of ſuch ſhip or veſſel, and every other perſon who ſhall knowingly be concerned, or aiding therein, or in removing, ſtoring, or otherwiſe ſecuring the ſaid goods, wares or merchandiſe, ſhall forfeit and pay, each and ſeverally, the ſum of four hundred dollars for each offence, and ſhall be diſabled from holding any office of truſt or profit under the United States, for a term not exceeding ſeven years; and it ſhall be the duty of the collector of the diſtrict, to advertiſe the names of all ſuch perſons in a newſpaper, printed in the ſtate in which he reſides, within twenty days after each reſpective conviction; and all goods, wares or merchandiſe, ſo unladen or delivered, ſhall become forfeited, and may be ſeized by any of the officers of the cuſtoms; and where the value thereof, according to the higheſt market price of the ſame, at the port or diſtrict where landed, ſhall amount to four hundred dollars, the veſſel, tackle, apparel and furniture ſhall be ſubject to like forfeiture and ſeizure.

Goods to be landed in the day time, and not without a permit.

Penalty.

Sec. 51. *And be it further enacted*, That no goods, wares or merchandiſe, brought in any ſhip or veſſel, from any foreign port or place, requiring to be weighed, gauged, or meaſured,

Goods not to be removed before being weighed, &c.

in order to aſcertain the duties thereupon, ſhall without the conſent of the proper officer, be removed from any wharf, or place, upon which the ſame may be landed or put, before the ſame ſhall have been ſo weighed, gauged or meaſured, and if ſpirits, wines, teas or ſugars, before the proof or quality and quantity thereof is aſcertained and marked thereon, by or under the direction of the proper officer for that purpoſe; and if any ſuch goods, wares or merchandiſe ſhall be removed from ſuch wharf or place, unleſs with the conſent of the proper officer had and obtained, before the ſame ſhall have been ſo weighed, gauged or meaſured, and if ſpirits, wines, teas, or ſugars, before the proof or quality and quantity ſhall have been ſo aſcertained and marked, the ſame ſhall be forfeited, and may be ſeized by any officer of the cuſtoms or inſpection.

On pain of forfeiture.

Sec. 52. *And be it further enacted*, That all goods, wares or merchandiſe, of which entry ſhall have been made incomplete, or without the ſpecification of particulars, either for want of the original invoice or invoices, or for any other cauſe, or which ſhall have received damage during the voyage, to be aſcertained by the proper officers of the port or diſtrict in which the ſaid goods, wares or merchandiſe ſhall arrive, ſhall be conveyed to ſome warehouſe or ſtorehouſe, to be deſignated by the collector, in the parcels or packages containing the ſame, there to remain with due and reaſonable care, at the expence and riſk of the owner or conſignee, under the care of ſome proper officer, until the particulars, coſt or value, as the caſe may require, ſhall have been aſcertained either by the exhibition of the original invoice or invoices thereof, or by appraiſement, at the option of the owner, im-

In caſe of incompiete entry, and of damage, goods to be ſtored.

porter or conſignee, in manner hereafter provided, and until the duties thereon ſhall have been paid, or ſecured to be paid, and a permit granted by the collector for the delivery thereof. And for the appraiſement of goods, wares and merchandiſe, not accompanied with the original invoice of their coſt, or to aſcertain the damage thereon received during the voyage, it ſhall be lawful for the collector, and upon requeſt of the party, he is required to appoint one merchant, and the owner, importer or conſignee to appoint another, who ſhall appraiſe or value the ſaid goods, wares, or merchandiſe accordingly, which appraiſement ſhall be ſubſcribed by the parties making the ſame, and be verified on oath or affirmation before the ſaid collector; which oath or affirmation ſhall be in the form following, to wit—

Mode of appraiſing goods and aſcertaining damage.

We (inſert the names of the perſons) appointed by the collector of (here inſert the name of the port or diſtrict) and (here inſert the name or names of the importer or importers) to aſcertain the contents, and appraiſe the value of the merchandiſe contained in the ſeveral packages deſcribed in the within or annexed entry or account, do ſolemnly, ſincerely and truly ſwear (or affirm) that the ſeveral articles detailed in the annexed appraiſement, ſubſcribed with our names, contains a full and true account of all the merchandiſe whatſoever contained in the ſeveral packages mentioned in ſuch entry or account, and that the ſeveral prices by us affixed to each article are, to the beſt of our ſkill and judgment, the true and actual value or coſt thereof, at the place of exportation. So help us God.

Appraiſers oath.

And in reſpect to articles that have been damaged, during the voyage, as aforeſaid, whether ſubject to a duty ad valorem, or which

Duty of appraiſers as to damaged goods.

are chargeable with a ſpecific duty, either by number, weight or meaſure, the appraiſers as aforeſaid, ſhall in like manner aſcertain and certify, to what rate or per centage, the ſaid goods, wares or merchandiſe are damaged, and the rate or per centage of damage, ſo aſcertained and certified, ſhall be deducted from the original amount, ſubject to a duty ad valorem, or from the actual or original number, weight or meaſure on which ſpecific duties would have been computed; *Provided*, That no allowance for the damage on any goods, wares and merchandiſe, that have been entered, and on which the duties have been paid or ſecured to be paid, and for which a permit has been granted to the owner or conſignee thereof, and which may on examining the ſame prove to be damaged, ſhall be made, unleſs proof to aſcertain ſuch damage ſhall be lodged in the cuſtom houſe of the port or place where ſuch goods, wares or merchandiſe have been landed, within ten days after the landing of ſuch merchandiſe. And every perſon who ſhall be appointed to aſcertain the damage during the voyage, of any goods, wares or merchandiſe, ſhall take and ſubſcribe an oath or affirmation in the following form, to wit:

Allowance for damage.

No allowance for damage, unleſs proof be lodged within 10 days, after landing.

Oath of perſons appointed to aſcertain damages.

We (inſert the names of the perſons) appointed by the collector of the diſtrict of (inſert the name of the diſtrict) and (inſert the name or names of the owner or owners, conſignee or conſignees) to aſcertain and appraiſe the damage ſuſtained on merchandiſe imported by (inſert the name or names of the importer or importers) in the (inſert denomination and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port or place from which imported) do ſolemnly, ſincerely and truly ſwear (or affirm) that we have carefully

examined the ſeveral packages hereafter enumerated and deſcribed, and find the ſeveral articles of merchandiſe, as particularly detailed, contained in the ſaid packages, to have received damage, as we believe, during the voyage of importation, and that the allowance, by us made for ſuch damage, is to the beſt of our ſkill and judgment, juſt.

So help us God.

Inſpectors may be put on board veſſels.

Sec. 53. *And be it further enacted*, That it ſhall be lawful for the collector of any diſtrict at which any ſhip or veſſel may arrive, and immediately on her firſt coming within ſuch diſtrict, and for the ſurveyor of any port where ſuch ſhip be, to put and keep on board ſuch ſhip or veſſel, whilſt remaining within ſuch diſtrict, or in going from one diſtrict to another, one or more inſpectors t examine the cargo, or contents of ſuch ſhip or veſſel, and to ſuperintend the delivery thereof, or of ſo much thereof as ſhall be delivered within the United States, and to perform ſuch other duties, according to law, as they ſhall be directed by the ſaid collector, or ſurveyor, to perform for the better ſecuring the collection of the duties; *Provided*, That collectors only ſhall have power to put on board ſhips or veſſels, inſpectors to go from one diſtrict to another; and the ſaid inſpector or inſpectors, ſhall make known to the perſon having the charge or command of ſuch ſhip or veſſel, the duties he or they, is or are, ſo to perform; and ſhall ſuffer no goods, wares or merchandiſe of any nature or kind whatſoever to be landed or unladen, or otherwiſe taken or removed from ſuch ſhip or veſſel, without a permit in writing from the collector of the port, and naval officer thereof, where any, firſt had and granted for that purpoſe—and the inſpector aforeſaid ſhall enter in a book, to be

Duty of inſpectors.

Duty of inſpectors.

by him or each of them kept according to ſuch a form as ſhall be preſcribed or approved by the collector, the name or names of the perſon or perſons in whoſe behalf ſuch permits are granted, together with the particulars therein ſpecified, and the marks, numbers, kinds and deſcription of the reſpective packages, which ſhall be unladen purſuant thereto, and ſhall keep a like account in the ſaid book of all goods, wares and merchandiſe, which not having been entered within the time limited by this act, or for ſome other cauſe, have been ſent to the ſtore or warehouſe, provided for the reception of ſuch goods, wares or merchandiſe: which book ſhall be delivered to the ſurveyor in the month of January in every year for his inſpection, and immediately after ſuch inſpection, be tranſmitted by the ſurveyor, with ſuch obſervations as he may think neceſſary thereon, to the collector, to be depoſited in his office. And it ſhall be the duty of the ſaid inſpector or inſpectors, to attend to the delivery of the cargo or cargoes under their care, at all times when the unlading or delivery of goods, wares and merchandiſe is lawful, particularly from the riſing 'till the ſetting of the ſun on each day, Sundays and the Fourth day of July in each year excepted; for which purpoſe they ſhall conſtantly attend and remain on board the veſſel or veſſels, the deliveries from which they are to ſuperintend, or at any other ſtations where their inſpection is neceſſary—And ſaid inſpector or inſpectors ſhall not quit ſuch ſtations or places, without the leave of the ſurveyor of the port firſt had and obtained for that purpoſe, who ſhall appoint another inſpector (if he ſhall judge it neceſſary) to ſupply the place of ſuch inſpector or inſpectors, during his or their abſence; and any inſpector, who ſhall neglect or in any

Penalty on miſbehaviour.

manner act contrary to the duties hereby enjoined, ſhall for the firſt offence forfeit and pay the ſum of fifty dollars, and for the ſecond offence, ſhall be diſplaced, and be incapable of holding any ſtation of truſt or profit under the revenue laws of the United States, for a term not exceeding ſeven years. And no inſpector or inſpectors ſhall perform any other duties or ſervice, on board any ſhip or veſſel, the ſuperintendance of which is committed to him or them, for any perſon or perſons whatever, other than what is required by this act, under the penalty of being diſabled from acting any longer as an inſpector of the cuſtoms; and the wages or compenſation of ſuch inſpector or inſpectors, as may proceed from one diſtrict to another, ſhall be defrayed by the maſter or perſon having the charge or command of the ſhip or veſſel committed to his or their care; and every inſpector or other officer of the revenue, while performing any duty on board any ſhip or veſſel, not in a port of the United States, diſcharging her cargo, ſhall be entitled to receive from the maſter of ſuch ſhip or veſſel, ſuch proviſions and accommodations as are uſually ſupplied to paſſengers, or as the ſtate and condition of ſuch ſhip or veſſel will admit, on receiving therefor fifty cents per diem; and any maſter of any ſhip or veſſel, who ſhall refuſe proviſions and reaſonable accommodations as aforeſaid, ſhall forfeit and pay one hundred dollars.

Wages of inſpector, by whom to be paid.

To be ſupplied with proviſions & accommodations on board of veſſels.

Sec. 54. *And be it further enacted*, That it ſhall be lawful for all collectors, naval officers, ſurveyors, inſpectors, and the officers of the revenue cutters, herein after mentioned, to go on board of ſhips or veſſels in any port of the United States, or within four leagues of the coaſt thereof, if bound to the United States, whether in or out of their reſpective diſtricts,

Officers of the cuſtoms may go on board of veſſels, & their duties therein.

for the purpoſes of demanding the manifeſts aforeſaid, and of examining and ſearching the ſaid ſhips or veſſels; and the ſaid officers reſpectively ſhall have free acceſs to the cabin and every other part of a ſhip or veſſel; and if any box, trunk, cheſt, caſk or other package ſhall be found in the cabin, ſteerage or forecaſtle of ſuch ſhip or veſſel, or in any other place ſeparate from the reſidue of the cargo, it ſhall be the duty of the ſaid officer to take a particular account of every ſuch box, trunk, cheſt, caſk or other package, and of the marks and numbers thereof, if any there be, and a deſcription thereof, and if he ſhall judge proper, to put a ſeal or ſeals on every ſuch box, trunk, cheſt, caſk or other package; and ſuch an account and deſcription ſhall be by him forwarded without delay to the collector of the diſtrict to which ſuch ſhip or veſſel is bound. And if upon her arrival at the port of her entry, the boxes, trunks, cheſts, caſks, or other packages ſo deſcribed, or any of them, ſhall be miſſing, or if the ſeals put thereon be broken, the maſter or commander of ſuch ſhip or veſſel ſhall forfeit and pay for every ſuch box, trunk, cheſt, caſk or other package ſo miſſing, or of which the ſeals ſhall be broken, the ſum of two hundred dollars. And it ſhall alſo be lawful for the inſpectors who may be put on board of any ſhip or veſſel, (and they are hereby required and enjoined ſo to do) to ſecure after ſunſet in each evening, or previous to their quitting the ſhip or veſſel, the hatches and other communications with the hold of ſuch ſhip or veſſel, or any other part thereof he or they may judge neceſſary, with locks or other proper faſtenings, which locks or other faſtenings ſhall not be opened, broken, or removed until the morning following, or after the riſing of the ſun, and in the

Further duty of inſpectors.

preſence of the inſpector or inſpectors, by whom the ſame ſhall have been ſo affixed, except by ſpecial licence from the collector of the port, and naval officer thereof, if any, for that purpoſe, firſt had and obtained. And if the ſaid locks or other faſtenings, or any of them ſhall be broken or removed, during the night or before the ſaid riſing of the ſun, or without the preſence of the ſaid inſpector or inſpectors, or without ſuch licence firſt had and obtained, or if any goods or packages ſhall be clandeſtinely landed, notice thereof ſhall be immediately given by the inſpector or inſpectors, to the collector and naval officer of the diſtrict, port or place, where the veſſel may be; and the maſter, or other perſon having the charge or command of any ſuch ſhip or veſſel, ſhall, for each or every of the offences aforeſaid, forfeit and pay the ſum of five hundred dollars.

Inſpectors to make returns of their deliveries to the collector and naval officer.

Sec. 55. *And be it further enacted*, That when the delivery of goods, wares and merchandiſe from on board of any ſhip or veſſel, ſhall have been completed, copies of the accounts or entries, which ſhall have been kept or made thereof, by the officer or officers who ſhall have been charged with the ſaid deliveries, ſhall be returned to the collector of the diſtrict and naval officer of the ſame, if any there be, within three days after ſuch delivery hath been completed, if at the port where ſuch officer or officers reſide, and if at any other port, as ſoon as the nature of the caſe will admit, not exceeding fifteen days; and the accounts or entries to be returned as aforeſaid, ſhall compriſe all deliveries made purſuant to permits as aforeſaid, and all packages or merchandiſe ſent to the public ſtores; alſo each and every package remaining on board of ſuch ſhip or veſſel, for the purpoſe of being exported therein, to a foreign port

or place, or to ſome other diſtrict of the United States. And the returns of the inſpectors, to be made as aforeſaid, ſhall be according to the following form—namely;

Form of inſpector's return.

Return of merchandiſe, unladen under my inſpection, purſuant to permits for that purpoſe, from on board the (inſert the names of the veſſel and maſter) from (inſert the port from which the veſſel arrived.)

When delivered or ſent to ſtore.	Dates of permits.	Marks.	Numbers.	Deſcription of packages.	Contents.	To whom delivered, or whether ſent to ſtore, or remaining on board.	Remarks.

Inſpector's return to be examined by the ſurveyor, naval officer and collector.

And the returns to be made as aforeſaid, ſhall be ſigned by the inſpectors reſpectively, under whoſe ſuperintendance the deliveries ſhall have been made; and after examination, and being found correct, ſaid returns ſhall be counterſigned or certified by the ſurveyor of the port, if any there be, at the port where the deliveries have been made; and the ſaid returns ſhall be tranſmitted by him to the naval officer, if any there be, who ſhall compare the ſame with the manifeſts and entries in his poſſeſſion; and if any difference ſhall appear, the particulars thereof ſhall be noted by endorſement on the ſaid returns, and if no difference ſhall appear, it ſhall be ſo noted by like endorſements,—and tranſmit the ſame to the collector of the diſtrict; and on being returned to the collector, it ſhall be by him compared with the manifeſts and entries

ſuch goods, wares or merchandiſe, which ſhall have been made by the owner or owners, conſignee or conſignees, or his or their factor or agent; and if any difference ſhall appear, the ſame ſhall be noted by endorſement on ſuch manifeſts, ſpecifying the particulars thereof; and if no difference ſhall appear, it ſhall be noted by like endorſement that the delivery hath correſponded with the entry or entries thereof; which endorſement or memorandum ſhall, in each caſe, be ſubſcribed by the officer by whom ſuch compariſon ſhall have been made.

Goods remaining on board after 15 days to be taken into inſpector's poſſeſſion.

Sec. 56. *And be it further enacted*, That if at the expiration of fifteen working days, after the time within which the report of the maſter, or perſon having the charge or command of any ſhip or veſſel, ſo required to be made to the collector of a diſtrict as aforeſaid, there ſhall be found on board, any goods, wares and merchandiſe, other than ſhall have been reported for ſome other diſtrict, or ſome foreign port or place, the ſaid inſpector or inſpectors, ſhall take poſſeſſion thereof. *Provided*, that with the conſent of the owner or conſignee of any goods, wares or merchandiſe, or with the conſent of the owner or maſter of the veſſel, in which the ſame may be imported, the ſaid goods, wares or merchandiſe may be taken poſſeſſion of, at any time, after five days notice to the collector of the diſtrict. And all goods, wares or merchandiſe, taken as aforeſaid, ſhall be delivered purſuant to the order of the collector of the diſtrict; for which a certificate or receipt ſhall be granted in the following form:

Diſtrict of

Port of

Form of receipt therefor.

I certify, that there has been received into ſtore, from on board the (inſert the denomi-

nation and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port or place where from) the following merchandiſe, to wit; (here enumerate the ſeveral packages, their denominations, marks, and numbers, and if articles in bulk, the quantity) lo ged by (inſert the name) inſpector, under whoſe care the ſaid veſſel was unladen.

A. B.

Such goods to be kept for nine months, and then ſold.

And the ſaid goods ſhall be kept with due and reaſonable care, at the charge and riſk of the owner or owners thereof, for the term of nine months, and if within that time, no claim be made for the ſame, the ſaid collector ſhall procure an inventory of the ſaid goods and an appraiſement thereof, to be made and to be verified on oath or affirmation by two or more reputable merchants before the ſaid collector, and to remain with him; and ſaid collector ſhall afterwards cauſe the ſaid goods to be ſold at public auction (previouſly cauſing the ſame to be advertiſed in one or more of the public newſpapers, printed at or neareſt to the port or place, where the ſale is to be, for the ſpace of one month) and retaining the duties thereon agreeably to ſuch inventory and appraiſement, and all charges thereon ſhall pay the overplus, if any there be, into the Treaſury of the United States, there to remain for the uſe of the owner or owners, who ſhall, upon due proof of his, her or their property, be entitled to receive the ſame; for which purpoſe the collector ſhall tranſmit with the ſaid overplus a copy of the inventory, appraiſement, and account of ſales, ſpecifying the marks, numbers, and deſcriptions of the packages ſold, their contents, the name of the veſſel and maſter, in which, and of the port or place from whence they were imported, and the time when, and the name

The overplus, after the duties & charges ar ed, to be paid into the Trea ſury.

of the perſon, or perſons to whom the ſaid goods were conſigned in the manifeſt; and the receipt or certificate of the collector ſhall exonerate the maſter or perſon having the charge or command of any ſhip or veſſel, in which ſuch goods, wares and merchandiſe, were imported, from all claim of the owner or owners thereof: *Provided*, that nothing herein contained ſhall be underſtood to prohibit the ſale of ſuch quantities of goods, ſtored as aforeſaid, as may be neceſſary to diſcharge the duties thereon, at the time or times, when ſuch duties ſhall become due and payable. *And provided*, that where any entry ſhall have been duly made of ſuch goods, the ſame ſhall not be appraiſed; and that where ſuch goods are of a periſhable nature, they ſhall be ſold forthwith; *Provided further*, that the ſaid limitation of fifteen days ſhall not extend to ſhips or veſſels laden with ſalt or coal; but if the ſaid maſter or owner of any ſuch ſhip or veſſel, ſo laden with ſalt or coal, requires a longer time to diſcharge her cargo, the wages, or compenſation of the inſpector, for every day's attendance, exceeding the ſaid fifteen days, ſhall be paid by the ſaid maſter or owner—and thereupon, the collector is hereby authoriſed and required to allow ſuch longer time as in his judgment he may think neceſſary to diſcharge ſuch cargo, not exceeding fifteen days. And if by reaſon of the delivery of the cargo, in ſeveral diſtricts, more than the ſaid term of fifteen working days, ſhall in the whole be ſpent therein, the wages or compenſation of the inſpector or inſpectors who may be employed on board of any ſhip or veſſel, in reſpect to which ſuch term may be ſo exceeded, ſhall, for every day of ſuch exceſs, be paid by the ſaid maſter or owner; and it ſhall be the duty

Proviſos.

Wages of inſpectors, exceeding 15 days, to be paid by the maſter or owner.

nation and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port or place where from) the following merchandiſe, to wit; (here enumerate the ſeveral packages, their denominations, marks, and numbers, and if articles in bulk, the quantity) lo ged by (inſert the name) inſpector, under whoſe care the ſaid veſſel was unladen.

A. B.

Such goods to be kept for nine months, and then ſold.

And the ſaid goods ſhall be kept with due and reaſonable care, at the charge and riſk of the owner or owners thereof, for the term of nine months, and if within that time, no claim be made for the ſame, the ſaid collector ſhall procure an inventory of the ſaid goods and an appraiſement thereof, to be made and to be verified on oath or affirmation by two or more reputable merchants before the ſaid collector, and to remain with him; and ſaid collector ſhall afterwards cauſe the ſaid goods to be ſold at public auction (previouſly cauſing the ſame to be advertiſed in one or more of the public newſpapers, printed at or neareſt to the port or place, where the ſale is to be, for the ſpace of one month) and retaining the duties thereon agreeably to ſuch inventory and appraiſement, and all charges thereon ſhall pay the overplus, if any there be, into the Treaſury of the United States, there to remain for the uſe of the owner or owners, who ſhall, upon due proof of his, her or their property, be entitled to receive the ſame; for which purpoſe the collector ſhall tranſmit with the ſaid overplus a copy of the inventory, appraiſement, and account of ſales, ſpecifying the marks, numbers, and deſcriptions of the packages ſold, their contents, the name of the veſſel and maſter, in which, and of the port or place from whence they were imported, and the time when, and the name

The overplus, after the duties & charges ar[illegible]ed, to be paid into the Treaſury.

of the perſon, or perſons to whom the ſaid goods were conſigned in the manifeſt; and the receipt or certificate of the collector ſhall exonerate the maſter or perſon having the charge or command of any ſhip or veſſel, in which ſuch goods, wares and merchandiſe, were imported, from all claim of the owner or owners thereof: *Provided*, that nothing herein contained ſhall be underſtood to prohibit the ſale of ſuch quantities of goods, ſtored as aforeſaid, as may be neceſſary to diſcharge the duties thereon, at the time or times, when ſuch duties ſhall become due and payable. *And provided*, that where any entry ſhall have been duly made of ſuch goods, the ſame ſhall not be appraiſed; and that where ſuch goods are of a periſhable nature, they ſhall be ſold forthwith; *Provided further*, that the ſaid limitation of fifteen days ſhall not extend to ſhips or veſſels laden with ſalt or coal; but if the ſaid maſter or owner of any ſuch ſhip or veſſel, ſo laden with ſalt or coal, requires a longer time to diſcharge her cargo, the wages, or compenſation of the inſpector, for every day's attendance, exceeding the ſaid fifteen days, ſhall be paid by the ſaid maſter or owner—and thereupon, the collector is hereby authoriſed and required to allow ſuch longer time as in his judgment he may think neceſſary to diſcharge ſuch cargo, not exceeding fifteen days. And if by reaſon of the delivery of the cargo, in ſeveral diſtricts, more than the ſaid term of fifteen working days, ſhall in the whole be ſpent therein, the wages or compenſation of the inſpector or inſpectors who may be employed on board of any ſhip or veſſel, in reſpect to which ſuch term may be ſo exceeded, ſhall, for every day of ſuch exceſs, be paid by the ſaid maſter or owner; and it ſhall be the duty

Proviſos.

Wages of inſpectors, exceeding 15 days, to be paid by the maſter or owner.

of such inspectors, previously to the clearance of such ship or vessel, to render an exact account to the collector, of all such compensations as shall have been paid, or shall be due and payable by such master or owner.

Penalty on the master, when the cargo does not agree with the report or manifest.

Sec. 57. *And be it further enacted*, That if any package whatever, which shall have been reported as aforesaid, shall be wanting, and not found on board such ship or vessel, or if the goods, wares and merchandise, on board such ship or vessel, shall otherwise not agree with the report or manifest delivered by the master or other person having the charge or command of any such ship or vessel, in every such case the master, or other person having such charge or command, shall forfeit and pay the sum of five hundred dollars: *Provided nevertheless*, That if it shall be made appear to the satisfaction of the collector, naval officer and surveyor, or to the major part of them, where those officers are established at any port, or to the satisfaction of the collector alone, where neither of the said others is established, or, in case of trial for the said penalty, to the satisfaction of the court, that no part whatever of the goods, wares or merchandise of such ship or vessel has been unshipped, landed or unladen since it was taken on board, except as shall have been specified in the said report, or manifest, and pursuant to permits as aforesaid, or that the said disagreement is by accident, or mistake, in such case the penalty aforesaid shall not be inflicted; but in all cases as aforesaid the master, or person having the charge or command of any ship or vessel, shall be required and shall make a post entry or addition to the report or manifest by him delivered, of any and all goods, wares or merchandise omitted to be included and reported in such manifest; and

Post entry to be made in such cases.

it ſhall not be lawful to grant a permit to unlade any ſuch goods, wares or merchandiſe ſo omitted, before ſuch poſt entry, or addition to ſuch report or manifeſt, has been made.

Allowances for draft,

Sec. 58. *And be it further enacted*, That the following allowances ſhall be made for the drafts and tare of the articles ſubject to duty, by weight, on the importation and exportation thereof, that is to ſay—For draft on any quantity of one hundred weight, or one hundred and twelve pounds, one pound—on any quantity above one and not exceeding two hundred weight, two pounds—on any quantity above two, and not exceeding three hundred weight, three pounds—on any quantity above three, and not exceeding ten hundred weight, four pounds—on any quantity above ten, and not exceeding eighteen hundred weight, ſeven pounds—on any quanttty above eighteen hundred weight, nine pounds.

and for tare.

For tare on every whole cheſt of bohea tea, ſeventy pounds; on every half cheſt, thirty ſix pounds; on every quarter cheſt, twenty pounds; on every cheſt of hyſon or other green teas, the groſs weight of which ſhall be ſeventy pounds, or upwards, twenty pounds; on every box of other tea, not leſs than fifty, or more than ſeventy pounds, groſs, eighteen pounds; if eighty pounds, groſs, twenty pounds; and from eighty pounds groſs and upwards, twenty two pounds; which tares ſhall include rope, canvas and other coverings; on all other boxes of tea, according to the invoice or actual weight thereof; on coffee in bags, two per cent; in bales, three per cent; in caſks, twelve per cent; on ſugar other than loaf ſugar in caſks, twelve per cent; in boxes, fifteen per cent; in bags or mats, five per cent; on cocoa in caſks, ten per cent; in bags, one per cent; on pimento in caſks, ſixteen

per cent; in bags, three per cent; on cheese in hampers or baskets, ten per cent; in boxes, twenty per cent; on candles, in boxes, eight per cent; on chocolate, in boxes, ten per cent; on cotton, in bales, two per cent; in seroons, six per cent; on glauber salts, in casks, eight per cent; on indigo in barrels, twelve per cent; in other casks fifteeen per cent; in seroons, ten per cent; in bags or mats, three per cent; on nails in casks, eight per cent; on pepper in casks, twelve per cent; in bales, five per cent; in bags, two per cent; sugar candy in boxes, ten per cent; segars in casks or boxes, eighteen per cent; soap in boxes, ten per cent; shot in casks, three per cent; twine in casks, twelve per cent; in bales, three per cent; on all other goods according to the invoice thereof, or actual weight—*Provided always*, That where the original invoices of any of the said articles, are produced, at the time of making entry for such articles, and the tare or tares appear therein, it shall be lawful for the collector and naval officer, where there is one, if they see fit, with the consent of the importer or importers, consignee or consignees, to estimate the said tare or tares, according to such invoice, but if not determined at the time of entry, the tare or tares as above shall be granted and allowed.

Allowance for leakage and breakage.

Sec. 59. *And be it further enacted*, That there be an allowance of two per cent. for leakage on the quantity which shall appear by the gauge to be contained in any cask of liquors, subject to duty by the gallon; and ten per cent. on all beer, ale and porter in bottles, and five per cent. on all other liquors in bottles, to be deducted from the invoice quantity, in lieu of breakage, or it shall be lawful to compute the duties on the actual quantity to be ascertained by tale at the option of the importer, to be made at the time of entry.

Sec. 60. *And be it further enacted*, That if any ſhip or veſſel from any foreign port or place, compelled by diſtreſs of weather, or other neceſſity, ſhall put into any port or place of the United States, not being deſtined for the ſame, and if the maſter, or other perſon having the charge or command of any ſuch ſhip or veſſel, together with the mate or perſon next in command, ſhall, within twenty-four hours after her arrival, make proteſt in the uſual form upon oath or affirmation, before a notary public or other perſon duly authorized, or before the collector of the diſtrict, where the ſaid ſhip or veſſel ſhall ſo arrive, who is hereby empowered to adminiſter the ſame, ſetting forth the cauſe, or circumſtance of ſuch diſtreſs, or neceſſity, which proteſt, if not made before the collector, ſhall be produced to him, and to the naval officer, (if any there be) and a copy thereof lodged with him or them. And the maſter, or other perſon foreſaid, ſhall alſo, within forty-eight hours after ſuch arrival, make report in writing to the ſaid collector, of the ſaid ſhip or veſſel and her cargo, as is directed hereby to be done in other caſes. And if it ſhall be made appear to the ſaid collector, by the certificate of the wardens of the port, or other officers uſually charged with, and accuſtomed to aſcertain the condition of ſhips or veſſels arriving in diſtreſs, if any ſuch there be, or by the certificate of any two reputable merchants, to be named for that purpoſe by the ſaid collector, if no ſuch wardens, or other officers duly qualified there be, that there is a neceſſity for unlading the ſaid ſhip or veſſel, the ſaid collector and naval officer (where any) ſhall grant permit for that purpoſe, and ſhall appoint an inſpector or inſpectors to overſee ſuch unlading, who ſhall keep an account of the ſame,

Veſſels arriving in diſtreſs at ports, to which they are not bound may be unloaded free from duty.

to be compared with the report made by the maſter, or other perſon having the charge or command of ſuch ſhip or veſſel: and all goods, wares and merchandiſe ſo unladen, ſhall be ſtored under the direction of the ſaid collector, who, upon requeſt of the maſter or perſon having the charge or command of ſuch ſhip or veſſel, or of the owner or owners thereof, ſhall, together with the naval officer, where there is one, and alone where there is none, grant permiſſion to diſpoſe of ſuch part of the ſaid cargo as may be of a periſhable nature (if any there be) or as may be neceſſary to defray the expences attending ſuch ſhip or veſſel, and her cargo; *Provided*, That entry ſhall be made therefor, and the duties thereon as in other caſes ſhall be firſt paid, or ſecured to be paid; *And provided*, That in caſe the delivery of the cargo do not agree with the report thereof, made by the maſter or other perſon having the charge or command of ſuch ſhip or veſſel, and if the difference, or diſagreement be not ſatisfactorily accounted for in manner preſcribed by this act, the maſter, or other perſon having the charge or command of ſuch ſhip or veſſel, ſhall be liable to ſuch penalties as in other like caſes are by this act preſcribed. And the ſaid goods, wares and merchandiſe, or the remainder thereof, which ſhall not be diſpoſed of as aforeſaid, may afterwards be re-laden on board the ſaid ſhip or veſſel, under the inſpection of the officer who ſuperintended the landing thereof, or other proper perſon; and the ſaid ſhip or veſſel may proceed with the ſame to the place of her deſtination, free from any other charge than for the ſtoring and ſafe keeping of the ſaid goods, and fees to the officers of the cuſtoms as in other caſes.

Cargo to be ſtored.

Part of the cargo may be ſold.

Penalty on a variance between the delivery & report.

The cargo may be re-laden.

Sec. 61. *And be it further enacted*, That the ad valorem rates of duty upon goods, wares and merchandiſe at the place of importation, ſhall be eſtimated by adding twenty per cent. to the actual coſts thereof, if imported from the Cape of Good Hope, or from any place beyond the ſame; and ten per cent on the actual coſt thereof, if imported from any other place, or country, including all charges, commiſſions, outſide packages and inſurance only excepted. Mode of eſtimating ad valorem rates of duty.

That all foreign coins and currencies ſhall be eſtimated at the following rates; each pound ſterling of Great-Britain, at four dollars and forty-four cents; each livre tournois of France at eighteen and a half cents; each florin or guilder of the United Netherlands, at forty cents; each mark banco of Hamburgh, at thirty-three and one third cents; each rix dollar of Denmark, at one hundred cents; each rial of plate and each rial of vellon of Spain, the former at ten cents, the latter at five cents each; each milree of Portugal, at one dollar and twenty-four cents; each pound ſterling of Ireland, at four dollars and ten cents; each tale of China, at one dollar and forty-eight cents; each pagoda of India, at one dollar and ninety-four cents; each rupee of Bengal, at fifty-five cents and one half; and all other denominations of money, in value, as nearly as may be to the ſaid rates, or the intrinſic value thereof, compared with money of the United States; *Provided*, That it ſhall be lawful for the Preſident of the United States, to cauſe to be eſtabliſhed fit and proper regulations for eſtimating the duties on goods, wares and merchandiſe imported into the United States, in reſpect to which the original coſt ſhall be exhibited in a depreciated currency, iſſued and circulated under authority of any foreign government. Eſtimation of foreign coins and currencies.

Duties to be paid or ſecured before goods are landed.

Sec. 62. *And be it further enacted*, That all duties on goods, wares or merchandiſe imported, ſhall be paid or ſecured to be paid, before a permit ſhall be granted for landing the ſame; and where the amount of ſuch duty on goods imported in any ſhip or veſſel, on account of one perſon only, or of ſeveral perſons jointly intereſted, ſhall not exceed fifty dollars, the ſame ſhall be immediately paid, and if it exceed that ſum, ſhall, at the option of the importer or importers, be paid or ſecured to be paid by bond, if on articles the produce of the Weſt-Indies (ſalt excepted) the one half in three and the other half in ſix calendar months; on ſalt in nine calendar months; on Madeira and all other wines, in twelve calendar months; on all goods, wares or merchandiſe (other than wines, ſalt and teas imported from Europe) one third in eight, one third in ten, and one third in twelve calendar months; and all goods, wares and merchandiſe, other than wines, ſalt and teas, imported from any other place than Europe and the Weſt-Indies, one half in ſix months, one quarter in nine months, and the other quarter in twelve months from the date of each reſpective importation; which bond or bonds ſhall include one or more ſureties, to the ſatisfaction of the collector of the diſtrict where the ſaid duties ſhall accrue; and on teas imported from China or Europe, it ſhall be at the option of the importer or importers (to be determined at the time of making entry therefor) either to ſecure the duties thereon, on the ſame terms and ſtipulations as on other goods, wares and merchandiſe imported, or to give his or her, or their bond to the collector of the diſtrict, where any ſuch tea ſhall be landed, in double the amount of the duties thereupon, with condition for the pay-

Terms of credit for duties.

Particular proviſion reſpecting teas imported from China or Europe.

ment of the ſaid duties in two years, from the date of ſuch bond; which bond ſhall be accepted by ſuch collector without ſurety upon the terms following, that is to ſay—the teas, for the duties whereof ſuch bond ſhall be accepted, ſhall be depoſited at the expence and riſk of the ſaid importer or importers, in one or more ſtore-houſe, or ſtore-houſes, as the caſe may require, to be agreed upon between the ſaid importer and the inſpector, or other officer of inſpection of the revenue, for the port where the ſaid teas ſhall be landed; and upon every ſuch ſtore-houſe, the ſaid inſpector, or officer of inſpection, ſhall cauſe to be affixed two locks, the key of one of which locks ſhall be kept by ſuch importer, his or her agent, and the key of the other of which locks ſhall be kept by ſuch inſpector, or by ſuch other perſon as he ſhall depute or appoint in his behalf, whoſe duty it ſhall be to attend at all reaſonable times, for the purpoſe of delivering the ſaid teas out of the ſaid ſtore-houſe or ſtore houſes; but no delivery ſhall be made of any of the ſaid teas without a permit in writing, under the hand of the collector of the port and naval officer of the ſame, where ſuch tea is landed; and in order to the obtaining of ſuch permit, it ſhall be neceſſary that the duties upon the teas, for which the ſame ſhall be required, be firſt paid or ſecured to be paid to the ſaid collector in the manner following; that is to ſay—the ſaid party or parties ſhall give bond with one or more ſurety or ſureties to the ſatisfaction of the ſaid collector, in double the amount of the duties upon the quantity of teas in each caſe to be delivered, with condition for the payment of the ſaid duties, if the ſame ſhall not exceed one hundred dollars, in four months; if it ſhall exceed one hundred dollars, and not ex-

ceed five hundred dollars, in eight months; or if the ſame ſhall exceed five hundred dollars, in twelve months: *Provided always*, That the time to be allowed for the payment of the duties upon any parcel of teas to be delivered, ſhall not be ſuch as to extend the credit for ſuch duties beyond the term of two years, originally allowed upon the depoſiting of the ſaid teas; *And provided*, That if the duties on any parcel of teas, which ſhall have been depoſited as aforeſaid, ſhall not have been paid, or ſecured to be paid, in manner laſt ſpecified, within the term of two years, according to the condition of the obligation, to be firſt given to the collector of the diſtrict within which the ſame ſhall have been landed, it ſhall be the duty of the ſaid collector to cauſe ſo much of the ſaid teas as may be neceſſary, to be ſold at public auction, and retaining the ſum which ſhall not have been ſo paid or ſecured to be paid of the ſaid duties, together with the expences of ſafe-keeping and ſale of the ſaid teas, ſhall return the overplus, if any, to the owner, or owners thereof, his, her, or their agent or lawful repreſentative; and the amount of each bond or bonds, taken for the duties on any teas delivered, after a depoſit as aforeſaid, ſhall be endorſed immediately on the original bond given by the importer or importers of the ſaid teas, ſpecifying the date, quantity and quality of the teas delivered, the amount of duty ſecured thereon, by whom, and the term of payment. *And provided*, That it ſhall be lawful for the collector, in lieu of ſureties, as required on any bond given for ſecuring the duties on any goods, wares and merchandiſe imported, to accept of a depoſit of ſo much of the ſaid goods, as ſhall in his judgment be ſufficient ſecurity for the amount of the duties for which the bond ſhall have been given, and the charge of ſafe-keeping and ſale of the goods ſo depoſited,

Particular proviſion reſpecting teas imported from China or Europe.

The collector may receive a depoſit in lieu of ſureties.

which ſhall be kept by the ſaid collector, with due and reaſonable care, at the expence and riſk of the party or parties on whoſe account they have been ſo depoſited, until the ſum ſpecified in ſuch bond ſhall have become due; at which time, if ſuch ſum ſhall not be paid, ſo much of the ſaid depoſited goods as may be neceſſary, ſhall be ſold at public ſale, and the proceeds thereof, after deducting the charges of ſafe-keeping and ſale thereof, ſhall be applied to the payment of ſuch ſum, rendering the overplus ariſing on ſuch ſale, and the reſidue of the goods ſo depoſited, if any there be, to the perſon or perſons by whom ſuch depoſit ſhall have been made, or to his, her, or their agent, or lawful repreſentative:—and all bonds directed to be given by virtue of this, or any other act, for monies or duties to be paid, or ſervices to be performed for the United States, ſhall be taken in the name of the United States of America: *Provided nevertheleſs*, That no perſon whoſe bond has been received, either as principal or ſurety for the payment of duties, or for whom any bond has been given by an agent, factor or other perſon, in purſuance of the proviſions herein contained, and which bond may be due and unſatisfied, ſhall be allowed a future credit for duties until ſuch bond be fully paid or diſcharged. And to prevent frauds ariſing from colluſive transfers, it is hereby declared, that all goods, wares or merchandiſe imported into the United States, ſhall, for the purpoſes of this act, be deemed and held to be the property of the perſons to whom the ſaid goods, wares or merchandiſe may be conſigned, any ſale, transfer or aſſignment, prior to the entry and payment or ſecuring the payment of the duties on the ſaid goods, wares and merchandiſe, and the payment of all bonds then due and unſatisfied by the ſaid conſignee, to the contrary notwith-

Bonds to be taken in the name of the U. S. of America.

Debtors to the revenue not to receive a new credit.

Conſignee to be conſidered as the owner.

ſtanding. And the form of the bond to be taken for ſecuring the payment of duties ſhall be as follows:

Form of bond for ſecuring duties.

Know all men by theſe preſents, that we (here inſert the name of the importer or conſignee, or if by an agent the name of ſuch agent, and of the importers or conſignees and the ſureties, their place of abode and occupation) are held and firmly bound unto the United States of America, in the ſum of to be paid to the ſaid United States; for payment whereof, we bind ourſelves, our heirs, executors and adminiſtrators, jointly and ſeverally, firmly by theſe preſents; ſealed with our ſeals; dated this day of in the year of the independence of the ſaid United States, and in the year of our Lord, one thouſand

The condition of this obligation is ſuch, that if the above bounden (here inſert the principal, or agent for ſuch principal, and the ſureties, or either of them, or either of their heirs, executors or adminiſtrators, ſhall, and do, on or before the day of next, well and truly pay or cauſe to be paid, unto the collector of the cuſtoms for the diſtrict of for the time being, the ſum of or the amount of the duties to be aſcertained as due, and ariſing on certain goods, wares and merchandiſe, entered by the above-bounden (inſert the name of the importer or conſignee, or agent for ſuch importer or conſignee) as imported in the maſter from as per entry, dated then the above obligation to be void, otherwiſe to remain in full force and virtue.

Sealed and delivered }
in the preſence of }

Tonnage duties to be paid on making entry, &c.

Sec. 63. *And be it further enacted*, That the duties impoſed by law on the tonnage of any ſhip or veſſel ſhall be paid to the collector, at the time of making entry of ſuch ſhip or veſſel;

and it ſhall not be lawful to grant any permit or to unlade any goods, wares or merchandiſe whatever from ſuch ſhip or veſſel, until the ſaid tonnage duty is firſt paid:—And the regiſter, or other document in lieu thereof, together with the clearance and other papers, granted by the officers of the cuſtoms to ſuch ſhip or veſſel at her departure from the port or place from whence ſhe may have arrived (Mediterranean paſſports excepted) ſhall previous to ſuch entry be produced to the collector, with whom ſuch entry is to be made, and ſhall remain in his office; and on the clearance of ſuch ſhip or veſſel, the regiſter and other documents ſhall be returned to the maſter or owner of ſuch ſhip or veſſel.

Certain ſhips papers to be lodged with the collector on making entry.

Sec. 64. *And be it further enacted*, That to aſcertain the tonnage of any ſhip or veſſel, the ſurveyor or ſuch other perſon as ſhall be appointed by the collector of the diſtrict to meaſure the ſame, ſhall, if the ſaid ſhip or veſſel be double decked, take the length thereof from the fore part of the main ſtem, to the after part of the ſtern poſt, above the upper deck, the breadth thereof at the broadeſt part above the main wales, half of which breadth ſhall be accounted the depth of ſuch veſſel, and ſhall then deduct from the length, three fifths of the breadth, multiply the remainder by the breadth, and the product by the depth, and ſhall divide this laſt product by ninety-five, the quotient whereof ſhall be deemed the true contents or tonnage of ſuch ſhip or veſſel.—And if ſuch ſhip or veſſel be ſingle decked, the ſaid ſurveyor or other perſon, ſhall take the length and breadth as above directed, in reſpect to a double decked ſhip or veſſel, ſhall deduct from the ſaid length three fifths of the breadth, and taking the depth from the under ſide of the deck plank to the cieling in the hold, ſhall multiply and divide,

Mode of aſcertaining the tonnage of veſſels.

as aforesaid, and the quotient shall be deemed the tonnage of such ship or vessel.

Bonds for duties to be put in suit immediately after they become due.

Sec. 65. *And be it further enacted*, That where any bond for the payment of duties shall not be satisfied on the day it may become due, the collector shall, forthwith and without delay, cause a prosecution to be commenced for the recovery of the money thereon by action or suit at law, in the proper court having cognizance thereof; and in all cases of insolvency, or where any estate in the hands of the executors, administrators or assignees, shall be insufficient to pay all the debts due from the deceased, the debt or debts due to the United States, on any such bond or bonds, shall be first satisfied; and any executor, administrator, or assignees, or other person, who shall pay any debt due by the person or estate from whom, or for which, they are acting, previous to the debt or debts due to the United States from such person or estate being first duly satisfied and paid, shall become answerable in their own person and estate, for the debt or debts so due to the United States, or so much thereof as may remain due and unpaid; and actions or suits at law may be commenced against them for the recovery of the said debt or debts, or so much thereof as may remain due and unpaid, in the proper court having cognizance thereof: *Provided*, That in all cases in which suits or prosecutions shall be commenced for the recovery of duties or pecuniary penalties prescribed by the laws of the United States, the person or persons against whom process may be issued, shall and may be held to special bail, subject to the rules and regulations which prevail in civil suits in which special bail is required: *And provided also*, That if the principal in any bond, which shall be given to the United States for duties on goods, wares or merchandise imported, or other penalty, either

Such bonds entitled to a priority of satisfaction in case of insolvency, &c.

In suits for duties or pecuniary penalties, defendant may be held to special bail.

by himſelf, his factor, agent, or other perſon for him, ſhall be inſolvent, or if ſuch principal being deceaſed, his, or her eſtate and effects, which ſhall come to the hands of his or her executors, adminiſtrators or aſſignees, ſhall be inſufficient for the payment of his or her debts, and if in either of the ſaid caſes, any ſurety on the ſaid bond or bonds, or the executors, adminiſtrators or aſſignees of ſuch ſurety ſhall pay to the United States the money due upon ſuch bond or bonds, ſuch ſurety, his or her executors, adminiſtrators or aſſignees, ſhall have and enjoy the like advantage, priority or preference for the recovery and receipt of the ſaid monies out of the eſtate and effects of ſuch inſolvent, or deceaſed principal, as are reſerved and ſecured to the United States; and ſhall and may bring and maintain a ſuit or ſuits upon the ſaid bond or bonds in law or equity, in his, her, or their own name or names, for the recovery of all monies paid thereon.—And the caſes of inſolvency mentioned in this ſection, ſhall be deemed to extend as well to caſes in which a debtor, not having ſufficient property to pay all his or her debts, ſhall have made a voluntary aſſignment thereof, for the benefit of his or her creditors, or in which the eſtate and effects of an abſconding, concealed or abſent debtor, ſhall have been attached by proceſs of law, as to caſes in which an act of legal bankruptcy ſhall have been committed. And where ſuit ſhall be inſtituted on any bond for the recovery of duties due to the United States, it ſhall be the duty of the court, where the ſame may be pending, to grant judgment at the return term, upon motion, unleſs the defendant ſhall, in open court, the United States attorney being preſent, make oath or affirmation that an error has been committed in the liquidation of the duties demanded upon ſuch bond, ſpecifying the errors alledged to

Surety paying bond to have priority, in caſe of inſolvency, &c. of the principal.

Meaning of inſolvency.

Judgment for duties to be rendered at the firſt term.

have been committed, and that the ſame have been notified in writing to the collector of the diſtrict, prior to the commencement of the return term aforeſaid: whereupn, if the court be ſatisfied, that a continuance until the next ſucceeding term, is neceſſary for the attainment of juſtice, and not otherwiſe, a continuance may be granted until next ſucceeding term and no longer. And on all bonds upon which ſuits ſhall be commenced, an intereſt ſhall be allowed at the rate of ſix per cent per annum, from the time when ſaid bonds become due, until the payment thereof.

Intereſt to be allowed upon bonds.

Goods entered with a fraudulent invoice to be forfeited.

Sec. 66. *And be it further enacted*, That if any goods, wares or merchandiſe, of which entry ſhall have been made in the office of a collector, ſhall not be invoiced according to the actual coſt thereof, at the place of exportation, with deſign to evade the duties thereupon, or any part thereof, all ſuch goods, wares or merchandiſe, or the value thereof, to be recovered of the perſon making entry, ſhall be forfeited; and in every caſe in which the ſaid collector ſhall ſuſpect that any ſuch goods, wares or merchandiſe are not invoiced at a ſum equal to that for which they have uſually been ſold in the place or country from whence they were imported, it ſhall be the duty of ſuch collector to take the ſaid goods, wares or merchandiſe into his poſſeſſion, and retain the ſame with due and reaſonable care, at the riſk and expenſe of the owner or owners, conſignee or conſignees thereof, until their value at the time and place of importation ſhall be aſcertained, by two reputable merchants to be choſen and appointed as in the caſe of damaged goods, or goods not accompanied with an invoice, and until the duties ariſing, according to ſuch valuation, ſhall be firſt paid, or ſecured to be paid, as required by this act in other caſes of importation:—*Provided*, That in ca

In caſe of ſuſpicion thereof the goods ſhall be taken into poſſeſſion by the collector; & proceedings thereupon.

of a profecution for the forfeiture aforefaid, fuch appraifement fhall not be conftrued to exclude other proof upon the trial, of the actual and real coft of the faid goods at the place of exportation.

Officers of the cuftoms may open packages, on fufpecting fraud.

Sec. 67. *And be it further enacted*, That it fhall be lawful for the collector, naval officer, or other officer of the cuftoms, after entry made of any goods, wares, or merchandife, on fufpicion of fraud, to open and examine in the prefence of two or more reputable merchants, any package, or packages thereof, and if upon examination they fhall be found to agree with the entries, the officer making fuch feizure and examination, fhall caufe the fame to be repacked and delivered to the owner or claimant forthwith; and the expenfe of fuch examination fhall be paid by the faid collector, or other officer; and allowed in the fettlement of their accounts; but if any of the packages fo examined fhall be found to differ in their contents from the entry, then the goods, wares or merchandife contained in fuch package or packages fhall be forfeited; *Provided*, That the faid forfeiture fhall not be incurred, if it fhall be made appear to the fatisfaction of the collector and naval officer of the diftrict where the fame fhall happen, if there be a naval officer, and if there be no naval officer, to the fatisfaction of the faid collector, or of the court in which a profecution for the forfeiture fhall be had, that fuch difference proceeded from accident or miftake, and not from an intention to defraud the revenue.

They may fearch fufpected places for goods.

Sec. 68. *And be it further enacted*, That every collector, naval officer and furveyor, or other perfon fpecially appointed by either of them for that purpofe, fhall have full power and authority to enter any fhip or veffel, in which they fhall have reafon to fufpect any goods, wares or merchandife, fubject to duty, are concealed, and

therein to ſearch for, ſeize, and ſecure any ſuch goods, vares or merchandiſe; and if they ſhall have cauſe to ſuſpect a concealment thereof in any particular dwelling houſe, ſtore, building, or other place, they or either of them ſhall upon proper application on oath, to any juſtice of the peace, be entitled to a warrant to enter ſuch houſe, ſtore, or other place (in the day time only) and there to ſearch for ſuch goods; and if any ſhall be found, to ſeize and ſecure the ſame for trial; and all ſuch goods, wares and merchandiſe, on which the duties ſhall not have been paid, or ſecured to be paid, ſhall be forfeited.

Collector to have the cuſtody of goods ſeized.

Sec. 69. *And be it further enacted*, That all goods, wares, or merchandiſe which ſhall be ſeized by virtue of this act, ſhall be put into, and remain in the cuſtody of the collector, or ſuch other perſon, as he ſhall appoint for that purpoſe, until ſuch proceedings ſhall be had as by this act are required, to aſcertain whether the ſame have been forfeited, or not; and if it ſhall be adjudged that they are not forfeited, they ſhall be forthwith reſtored to the owner or owners, claimant or claimants thereof; and if any perſon or perſons ſhall conceal or buy any goods, wares or merchandiſe, knowing them to be liable to ſeizure by this act, ſuch perſon or perſons ſhall on conviction thereof forfeit and pay a ſum double the amount or value of the goods, wares or merchandiſe ſo concealed or purchaſed.

Penalty on buying or concealing goods liable to ſeizure.

Officers of the cuſtoms may make ſeizure out of their diſtrict.

Sec. 70. *And be it further enacted*, That it ſhall be the duty of the ſeveral officers of the cuſtoms, to make ſeizure of, and ſecure any ſhip, or veſſel, goods, wares or merchandiſe which ſhall be liable to ſeizure by virtue of this or any other act of the United States, reſpecting the revenue, which is now, or may hereafter be enacted, as well without as within their reſpective diſtricts.

Sec. 71. *And be it further enacted*, That if any officer or other perſon, executing or aiding or aſſiſting in the ſeizure of goods, ſhall be uſed or moleſted for any thing done in virtue of the powers given by this act, or by virtue of a warrant granted by any judge, or juſtice, purſuant to law, ſuch officer or other perſon may plead the general iſſue, and give this act and the ſpecial matter in evidence; and if in ſuch ſuit the plaintiff is nonſuited, or judgement paſs againſt him, the defendant ſhall recover double coſts; and in actions, ſuits or informations to be brought, where any ſeizure ſhall be made purſuant to this act, if the property be claimed by any perſon, in every ſuch caſe the *onus probandi* ſhall be upon ſuch claimant.—And if any perſon ſhall forcibly reſiſt, prevent, or impede any officer of the cuſtoms or their deputies, or any perſon aſſiſting them, in the execution of their duty, ſuch perſon ſo offending ſhall for every ſuch offence, be fined in a ſum not exceeding four hundred dollars.—And if any maſter, or other perſon having the charge or command of any ſhip or veſſel coming into, or arriving at any port or place within the United States, ſhall obſtruct or hinder, or ſhall be the cauſe or means of any obſtruction or hindrance with ſuch an intent, to any officer of the cuſtoms or revenue, in going on board ſuch ſhip or veſſel, for the purpoſe of carrying into effect any of the revenue laws of the United States, he ſhall forfeit for every ſuch offence a ſum not exceeding five hundred dollars, nor leſs than fifty dollars; but the *onus probandi* ſhall lie on the claimant only where probable cauſe is ſhewn for ſuch proſecution, to be judged of by the court before whom the proſecution is had.

They may plead the general iſſue.

Double coſts.

Onus probandi to lie upon the claimant.

Penalty on reſiſting officers of the cuſtoms.

Special proviſo as to the onus probandi.

Sec. 72. *And be it further enacted*, That the weighers, gaugers, and meaſurers, employed in the ſervice of the revenue, ſhall, within three

Weighers, &c. to make re-

turns in 3 days. days after any veſſel is diſcharged, make returns of the articles by them reſpectively weighed, gauged or meaſured, out of ſuch veſſel—And the form of the return to be made by the weighers reſpectively, ſhall be as follows :—

Form of weigher's return. Return of (here inſert the number of packages and contents) weighed from on board the (here inſert the denomination and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port or place from which arrived.)

Date of veſſels entry.	To whom conſigned as per permit.	Marks.	Numbers.	Packages.	Contents and quality.	Weight.	Tare as allowed by law.	Tare as marked on the packages.	Amount of drafts.

Diſtrict of
Port of

A. B. Weigher.

And the form of the return to be made by the gaugers reſpectively ſhall be as follows:

Form of gauger's return. Return of (here inſert the number of caſks and packages) gauged from on board the (here inſert the denomination and name of the veſſel whereof (inſert the name) is maſter, from (inſert the port or place from which arrived.)

Date of veſſels entry.	To whom conſigned as per permit.	Marks.	Numbers.	Caſks or packages.	Contents and quality as marked by the inſpector of the Revenue.	Gauge.	Wantage.	What caſks empty or taken to fill up others.

Diſtrict of
Port of

C. D. Gauger,

And the form of the return to be made by the meaſurers reſpectively, ſhall be as follows:

Return of the (here inſert ſalt or coal as the caſe may be) meaſured from on board the (here inſert the denomination and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port or place from which arrived.) Form of meaſurers return.

Date of veſſels entry.	To whom conſigned per permit.	Number of buſhels in words at length.	Quality, whether ſalt or coal.	Average weight of ſalt per buſhel.

Diſtrict of
Port of

E. F. Meaſurer.

And the ſaid returns ſhall be made by the weighers, gaugers and meaſurers in books to be prepared by them for that purpoſe, and kept in the cuſtom-houſes.

Sec. 73. *And be it further enacted*, That every collector, naval officer and ſurveyor, ſhall cauſe to be affixed, and conſtantly kept in ſome public and conſpicious place of his office, a fair table of the rates of fees and duties demandable by law, and ſhall give a receipt for the fees he ſhall receive, ſpecifying the particulars, whenever required ſo to do; and in caſe of failure therein, ſhall forfeit and pay one hundred dollars, to be recovered with coſts, in any proper court having cognizance thereof, to the uſe of the informer; and if any officer of the cuſtoms ſhall demand or receive any greater, or other fee, compenſation or reward, for executing any duty or ſervice required of him by law, he ſhall forfeit and pay two hundred dollars for each of-

Tables of fees and duties to be fixed up.

Receipts to be given for fees.

Penalty on officer of the cuſtoms taking unlawful fees.

fence, recoverable in manner aforeſaid, for the uſe of the party aggrieved. And if any inſpector, gauger, weigher or meaſurer ſhall receive any gratuity, fee or reward for any ſervices performed by virtue of this act, other than is by law allowed, or if any gauger, weigher, or meaſurer, employed as ſuch by the public, in the diſtricts of Portſmouth, Salem and Beverly, Boſton and Charleſtown, Providence, New-York, Philadelphia, Baltimore, Norfolk and Portſmouth, or Charleſton, ſhall gauge, weigh or meaſure, any article or articles other than ſhall be directed by the proper officer in order to aſcertain the duties to be received, or the drawbacks to be allowed thereon, or ſhall make a return of the weight, gauge or meaſure of any merchandiſe laden, or to be laden, on board any ſhip or veſſel for the benefit of drawback upon exportation, without having actually weighed, gauged or meaſured the ſame, as the caſe may require, after ſuch merchandiſe ſhall have been notified to the collector and entered for exportation, they ſhall for the firſt offence forfeit and pay the ſum of fifty dollars, and for the ſecond offence ſhall forfeit two hundred dollars, and be diſcharged from the public ſervice; and if any inſpector or other officer of the cuſtoms ſhall certify the ſhipment of any merchandiſe entitled to drawback on exportation, without having duly inſpected and examined the ſame, after he ſhall have received the permit for lading ſuch merchandiſe, or, if the amount of ſuch drawback ſhall be eſtimated according to weight, gauge or meaſure, until ſuch merchandiſe ſhall be firſt weighed, gauged or meaſured, as the caſe may require, he ſhall be ſubject to the like forfeitures, and be diſcharged from the public ſerviſe.

Penalty on public gaugers, &c. in certain diſtricts gauging, &c. for private perſons, or making returns without actually gauged, &c.

Penalty on inſpectors, &c. neglecting their duty with reſpect to drawbacks.

Sec. 74. *And be it further enacted*, That all duties and fees to be collected ſhall be payable

In what monies the duties are to be paid.

in money of the United States, or in foreign gold and ſilver coins, at the following rates; that is to ſay; The gold coins of Great Britain and Portugal of the ſtandard prior to the year one thouſand ſeven hundred and ninety-two, at the rate of one hundred cents for every twenty-ſeven grains of the actual weight thereof; the gold coins of France, Spain and the dominions of Spain, of the ſtandard prior to the year one thouſand ſeven hundred and ninety-two, at the rate of one hundred cents for every twenty-ſeven grains and two-fifths of a grain of the actual weight thereof; Spaniſh milled dollars at the rate of one hundred cents for each dollar, the actual weight whereof ſhall not be leſs than ſeventeen penny weights and ſeven grains, and in proportion for the parts of a dollar; crowns of France at the rate of one hundred and ten cents for each crown, the actual weight whereof ſhall not be leſs than eighteen penny weights and ſeventeen grains, and in proportion for the parts of a crown. *Provided*, That no foreign coins ſhall be receivable which are not by law a tender for the payment of all debts, except in conſequence of a proclamation of the Preſident of the United States, authorizing ſuch foreign coins to be received in payment of the duties and fees aforeſaid.

Rates of foreign coins.

Proviſo.

Sec. 75. *And be it further enacted*, That a drawback of duties as preſcribed by law ſhall be allowed and paid on all goods, wares or merchandiſe imported into the United States, in reſpect to all ſuch goods, wares and merchandiſe, whereupon the duties ſhall have been paid, or ſecured to be paid, as, within twelve calender months after payment made, or ſecurity given, ſhall be exported to any foreign port or place, other than the dominions of any foreign ſtate immediately adjoining to the United States, either from the diſtrict of original

Drawback of duties to be allowed on exportation.

importation, or from certain other diſtricts; and all duties, drawbacks and allowances which ſhall be payable, or allowable, on any ſpecific quantity of goods, wares, or merchandiſe, ſhall be deemed to apply in proportion to any greater or leſſer quantity; *Provided*, that no goods, wares and merchandiſe imported, ſhall be entitled to a drawback of the duties paid, or to be ſecured thereon, unleſs the duties ſo paid or ſecured thereon ſhall amount to fifty dollars at leaſt; nor unleſs they ſhall be exported in the original caſks, caſes, cheſts, boxes, trunks or other packages, in which they were imported, without diminution or change of the articles which were therein contained, at the time of importation, in quantity, quality or value, neceſſary or unavoidable waſtage or damage only excepted; *Provided always*, That it ſhall be lawful for the exporter, or exporters of any liquors in caſks, coffee in caſks or other packages, cocoa in caſks or other packages, or any unrefined ſugars, to fill up the caſks or packages out of other caſks or packages included in the ſame original importation, or into new caſks, or packages correſponding therewith, to be marked and numbered as the original caſks or packages, in caſe the original caſks or packages ſhall, in the opinion of the officer appointed to examine the ſame, be ſo injured as to be rendered unfit for exportation, and in no other caſe; *Provided further*, That the filling up or change of package be done under the inſpection of a proper officer, appointed for that purpoſe by the collector and naval officer, where any, of the port or place, from which ſuch liquors, coffee, or unrefined ſugars are intended to be exported; and the drawback on articles ſo filled up, or of which the packages have been changed, ſhall not be allowed without ſuch inſpection.

Drawback of duties to be allowed on exportation.

And where articles are imported in bulk, they ſhall be exported in the packages, if any, in which they were landed; for which purpoſe the officer delivering the ſame, ſhall return the packages they may be put into, if any, with their marks and numbers, and they ſhall not be entitled to drawback, unleſs exported in ſuch packages, which ſhall be deemed the packages of original importation, nor unleſs they fully agree with the return made by the ſaid officer; and in reſpect to diſtilled ſpirits, wines, or teas, the certificates iſſued by the inſpector of the revenue for ſuch ſpirits, wines, or teas, ſhall be given up, and the drawback ſhall not be allowed on any ſuch ſpirits, wines, or teas, as do not agree on examination with the certificates ſo given up.

Duty of the perſon exporting for benefit of drawback.

Sec. 76. *And be it further enacted*, That in order to entitle the exporter or exporters of any goods, wares or merchandiſe to the benefit of the ſaid drawback, or allowances, he or ſhe ſhall, previous to putting or lading the ſame on board of any ſhip or veſſel for exportation, give twenty-four hours notice at leaſt to the collector of the diſtrict from which the ſame are about to be exported, of his, her, or their intention to export the ſame (unleſs in the caſe of diſtilled ſpirits, when ſix hours notice ſhall be deemed ſufficient) and ſhall make entry in writing of the particulars thereof, and of the caſks, caſes, cheſts, boxes and other packages or parcels containing the ſame, or of which the ſame ſhall conſiſt, and of their reſpective marks, numbers, and contents, and if imported articles, the name of the ſhip or veſſel and maſter's name in which the perſon or perſons, for or by whom, and the place or places from which they were imported, alſo the diſtrict into which the ſaid goods, wares or merchandiſe were imported, if other than

the district from which they are intended to be exported :—And the form of the said entry shall be as follows :

Form of the entry.

Entry of merchandise intended to be exported by (here insert the name or names) on board of the (insert the denomination and name of the vessel) whereof (insert the name of the master) is master, for (insert the port or place to which destined) for the benefit of drawback, which were imported into the district of (insert the district of original importation) on the (insert the date of importation) by (insert the name of the importer) in the (insert the denomination and name of the vessel) from (insert the foreign port or place whence they were imported) and brought into the district on the (insert the date of the vessels entry) in the (insert the denomination and name of the vessel and master) from (insert the port from whence they arrived.)

Marks.	Numbers.	Packages and contents.	Nett cost of ad valorem articles as having paid duties.	Weight or gauge.	Tare and draft, or allowance for leakage.

Oath to be made.

And in respect to the said imported articles, proof shall be made to the satisfaction of the collector and naval officer, where there is any naval officer, by the oath of the person or persons (including the exporter or exporters) through whose hands the said articles shall have passed, according to the best of their knowledge and belief, respecting the due importation of

the ſaid articles according to law, and in conformity to ſuch notice of their identity, and of the payment, or ſecuring the payment of the duties thereupon; *Provided*, That if through actual ſickneſs or abſence of the importer or other perſon, through whoſe hands the ſaid goods, wares or merchandiſe intended to be ſo exported may have paſſed, and not otherwiſe, the proof required of them, or either of them, ſhall and may be accepted of from their known agent, factor, or the perſon who uſually tranſacts their buſineſs: And the ſaid collector ſhall direct the ſurveyor, where any, to inſpect or cauſe to be inſpected the goods, wares or merchandiſe ſo notified for exportation, and if they ſhall be found to correſpond fully with the notice and proof concerning the ſame, the ſaid collector, together with the naval officer, if any there be, ſhall grant a permit for lading the ſame on board of the ſhip or veſſel named in ſuch notice and entry, as aforeſaid; which lading ſhall be performed under the ſuperintendence of the officer by whom the ſame ſhall have been ſo inſpected; and the ſaid exporter or exporters ſhall likewiſe make oath that the ſaid goods, ſo noticed for exportation, and laden on board ſuch ſhip or veſſel, previous to the clearance thereof, or within ten days after ſuch clearance, are truly intended to be exported to the place whereof notice ſhall have been given, and are not intended to be re-landed within the United States, otherwiſe the ſaid goods, wares and merchandiſe ſhall not be entitled to the benefit of drawback.

Goods notified for exportation, to be inſpected, &c.

Manner of lading.

Further oath.

And the form of the direction to the ſurveyor of the port, where any, or to the officer who may inſpect the ſaid goods; and the permit for lading the ſaid goods for exportation, ſhall be as follows:—

District of
Port of

Form of the direction to inſpect the goods, & permit to lade.

The ſurveyor will cauſe the articles ſpecified in (inſert the name of the perſon making entry) entry to be examined, and if found to agree exactly therewith, will have them (weighed, gauged, or meaſured, as the caſe may require and then permit the ſame to be laden on board the (inſert the denomination and name of the veſſel, and the maſter's name) maſter, for (inſert the port of deſtination) for benefit of drawback.

A. B. Collector
C. D. Naval Officer.

To the ſurveyor of
the Port of

Form of verifying the entry.

And in caſes where the perſons making entry, as aforeſaid, are the perſons by whom the goods, wares or merchandiſe, intended to be exported, were originally imported into the United States, the ſaid entry ſhall, after the lading of the ſaid goods, be verified in manner following, to wit;

I (inſert the name) do ſolemnly, ſincerely and truly ſwear (or affirm) that the articles ſpecified in the above, or annexed entry, were imported by me (or conſigned to me, as the caſe may be) in the (inſert the denomination and name of the veſſel) whereof (inſert the name) was maſter, from (inſert the name of the port or place where from) that they were duly entered by me, at the cuſtom houſe of this port and the duties paid (or ſecured to be paid thereon, as the caſe may be) that they are the ſame in quantity, quality, package (and value if articles paying an ad valorem duty) as at the time of importation, neceſſary or unavoidable waſtage or damage only excepted, and are now actually laden on board the (inſert denomination and name of the veſſel) whereof (inſert

the name) is maſter; and that they are truly intended to be exported by me in the ſaid veſſel, to the port of (inſert the name of the port or place) and are not intended to be re-landed within the limits of the United States. So help me God.

And the oath or affirmation to be taken by the importer, when goods are ſold, to be exported by another perſon, ſhall be as follows:—

I (inſert the name) do ſolemnly, ſincerely and truly ſwear (or affirm) that the articles ſpecified in the above or annexed entry, as imported by, (or conſigned to me, as the caſe may be) were truly imported by or conſigned to me in the (inſert denomination or name of the veſſel) whereof (inſert the name) is maſter, from (inſert the port or place) that they were duly entered by me at the cuſtom houſe of and the duties thereon paid (or ſecured to be paid, as the caſe may be) that they were the ſame in quantity, quality, package, neceſſary or unavoidable waſtage or damage only excepted (and value, if articles paying an ad valorem duty) at the time of ſale or delivery to (inſert the name of the perſon or perſons to whom ſold or deſtined) as at the time of importation. So help me God.

And the oath or affirmation to be taken, where goods are exported by a perſon, other than the importer, ſhall be as follows:—

I (inſert the name) do ſolemnly, ſincerely and truly ſwear (or affirm) that the articles ſpecified in the above or annexed entry, were purchaſed by me, of (inſert the name of the perſon or perſons from whom purchaſed) that they are now actually laden on board of the (inſert the denomination and name of the veſſel) whereof (inſert the name) is maſter, and were at the time of ſuch lading, and are now the ſame in quantity, quality, package, neceſſary or unavoidable

waſtage or damage only excepted (and value, if articles paying an ad valorem duty) as at the time of purchaſe, that they are truly intended to be exported by me, in the ſaid veſſel, to the port of (inſert the name of the port or place) and are not intended to be re-landed within the limits of the United States. So help me God.

And the oath or affirmation to be taken by any other perſon than the importer or exporter of merchandiſe, who may have bought and ſold the ſame, or in whoſe poſſeſſion the ſame may have been, ſhall be as follows:—

I (inſert the name) do ſolemnly, ſincerely and truly ſwear (or affirm) that the articles of merchandiſe, ſpecified in this entry, were purchaſed by me from (inſert the name of the perſon from whom purchaſed) and were ſold by me to (inſert the name of the perſon to whom ſold) and that they were not, to the beſt of my knowledge or belief, altered, or in any reſpect changed, in quantity, quality, value or package, neceſſary or unavoidable waſtage or damage only excepted, while in my poſſeſſion, or from the time of ſaid purchaſe until the time of ſaid ſale. So help me God.

Diſtricts from which goods may be exported ſubject to drawback.

Sec. 77. *And be it further enacted*, That the diſtricts from which goods, wares or merchandiſe may be exported, ſubject to drawback, be only the diſtricts of original importation, and thoſe ports at which veſſels from the Cape of Good Hope, or from any place beyond the ſame, are permitted to make entry; *Provided nevertheleſs*, That ſuch goods, wares, or merchandiſe as are imported into a diſtrict other than the one from whence they are to be exported, ſhall not be entitled to drawback, unleſs they ſhall be accompanied with a certificate from the collector of the diſtrict, and naval officer of the ſame, if any there be, into which they were originally imported, ſpecifying the marks, num-

Certificate to be obtained, where they are exported from a diſtrict different from that of importation.

bers and deſcriptions of the caſks or other packages, with the names of the maſter and veſſel, in which, the time when, and the place from whence they were imported, and where the articles are ſubject to duty, by weight, meaſure or gauge, the quantity thereof; and where they are articles ſubject to duty ad valorem, the net amount of each package, on which duty has been paid or ſecured to be paid; and in all caſes the amount of the duties paid, or ſecured to be paid thereon, and by whom, and the names of the veſſel and maſter, in which they are ſhipped from ſuch diſtrict, and by whom; and in order to entitle any perſon to ſuch certificate, he, ſhe or they ſhall make out an entry of all ſuch goods, wares and merchandiſe, ſpecifying the marks, numbers, and deſcriptions of the caſks or packages, and their contents, the names of the maſter and veſſel in which, the time when, by whom and the place from which they were imported, the names of the maſter and veſſel in which they are intended to be laden, and diſtrict in the United States to which they are deſtined; and ſhall moreover prove the truth of ſuch entry, in like manner as is before required, for goods, wares and merchandiſe, exported from a diſtrict of original importation: which requiſites being complied with, and the collector and naval officer, if any there be, ſatisfied therewith, they ſhall grant ſuch certificate; and ſuch goods, wares or merchandiſe ſhall be entered with the collector of the diſtrict into which they ſhall be brought from the port or place of their original importation, by the perſon or perſons ſo importing them, or to whom they may be conſigned, ſpecifying the names of the maſter and veſſel in which, and the diſtrict from whence they are imported, together with the particulars of the packages, their marks, numbers, and their

contents, and ſhall obtain a permit for the ſame previous to the landing or unlading thereof; and any goods, wares or merchandiſe, landed without ſuch entry being made, and permit obtained, ſhall not be entitled to be exported, ſubject to drawback.

And the form of an entry of goods to be tranſported coaſt-wiſe, for the purpoſe of being exported from another diſtrict, for the benefit of drawback, ſhall be as follows:—

Form of entry for tranſportation coaſt-wiſe of goods entitled to drawback.

Entry of merchandiſe intended to be ſhipped by (inſert the name or names) on board the (inſert the denomination and name of veſſel) whereof (inſert the name) is maſter, for (inſert the port and diſtrict where bound) to be exported from thence for the benefit of drawback, which were imported into this diſtrict on the (inſert the date of the veſſel's entry in which they were imported) by (inſert the name of the importer) in the (inſert the denomination and name of the veſſel, and maſter's name) from (inſert the name of the foreign port or place.)

Marks.	Numbers.	Packages and contents.	Coſt of articles paying duty ad valorem.	Weight or gauge.	Tare and draft or allowance for leakage.

And the form of a certificate for the tranſportation coaſt-wiſe, of goods intended to be exported to another diſtrict, to be granted in purſuance of the entry aforeſaid, ſhall be as follows:—

Diſtrict of
Port of

We certify, that the merchandiſe herein after ſpecified, which are now ſhipped by on board the of maſter, bound for the port of were duly imported into this diſtrict, on the day of by in the of maſter, from and the duties thereon paid, or ſecured to be paid, according to law.

Form of Certificate for tranſportation coaſt-wiſe of goods entitled to drawback.

Tare allowed.	Marks.	Numbers.	Packages, contents, value and rates of duty collected or ſecured.	Amount of duties.
			Here inſert each package in detail, the contents, quality and value, if articles ſubject to duties ad valorem with the rates of duty collected or ſecured, as the caſe may require.	

The amount of duties, paid or ſecured, being dollars.

A. B. Collector.
C. D. Naval Officer.

And the form of an entry for goods arriving coaſt-wiſe, accompanied with a certificate as aforeſaid, for the purpoſe of obtaining a drawback, ſhall be as follows :—

Form of entry at the port of arrival of goods tranſported coaſtwiſe.

Entry of merchandiſe, tranſported coaſt-wiſe, for (inſert the name or names of the conſignee) in the (inſert denomination and name of the veſſel) whereof (inſert the name) is maſter, from (inſert the name of the port or diſtrict) for the purpoſe of being exported from the diſtrict of (inſert the diſtrict in which they are to be unladen) for the benefit of drawback; which were imported in the diſtrict of (inſert

the district of original importation) on the (insert the date of importation) by (insert the importer's name) in the (insert the denomination and name of the vessel, and master's name) from (insert the foreign port or place from whence imported.)

Marks.	Numbers.	Packages	Contents.

And on making the said entry, an oath or affirmation shall be taken, which shall be of the form following, to wit:

Form of oath on making such entry.

I (insert the name) do solemnly, sincerely and truly swear (or affirm) according to the best of my knowledge and belief, that the entry by me subscribed is just and true, that the merchandise therein mentioned have been duly imported and the duties thereupon paid, or secured to be paid, according to law.

And the form of a permit for unlading goods transported coast-wise, with a certificate as aforesaid for the purpose of obtaining a drawback, shall be as follows:—

Port of

Permit for unlading goods transported coast-wise, for the benefit of drawback.

Permit (insert the name of the person making entry) to land, from on board the (insert denomination and name of vessel, and name of master) master from (infert the port and district from which arrived, and the number of packages and contents, with their marks and numbers, agreeable to entry) having been brought coast-wise from thence, for the purpose of being exported from this district, for the benefit of drawback.

A. B. Collector.
C. D. Naval Officer.

To the surveyor
of the port of

Sec. 78. *And be it further enacted*, That when any goods, wares or merchandiſe, ſubject to drawback, ſhall be entered for exportation from any other diſtrict than the one into which they were originally imported, the perſon intending to export the ſame, beſides producing the certificate herein before directed, ſhall give the ſame notice, and make entry in like manner, and the goods, wares and merchandiſe, therein expreſſed, ſhall undergo the ſame examination, and ſhall be laden on board under regulations, in all reſpects conformable to what is required by law, relative to goods, wares and merchandiſe entitled to drawback, and intended to be exported from the place of original importation.

At the port of arrival the ſame formalities are to be obſerved as if they were exported from the port of original importation.

Sec. 79. *And be it further enacted*, That all goods, wares and merchandiſe, duly imported into either of the diſtricts of Philadelphia, New-York, and Baltimore, or into the ports of Boſton and Providence, which ſhall be tranſported in part by water, and in part by land conveyance, from the port of Philadelphia, by the way of Burlington, Bordenton, Lamberton, or New-Brunſwick and South-Amboy, to New-York; or from the port of New-York, by the way of South-Amboy, New-Brunſwick, or Lamberton, Bordenton, or Burlington, to Philadelphia; or from the port of Philadelphia, by way of Wilmington, Newport, Chriſtiana-Bridge, New-Caſtle, Port-Penn, or Appoquinimink and Elkton, Frenchtown or Bohemia, to Baltimore; or from the port of Baltimore by the way of Elkton, Bohemia, or Frenchtown, and Port-Penn, Appoquinimink, New Caſtle, Chriſtiana-Bridge, Newport or Wilmington to Philadelphia, and which being imported into Philadelphia, ſhall be exported from Baltimore or New-York, or being imported into Baltimore or New-York, ſhall be exported from Philadelphia, or ſhall be tranſported by land conveyance, from

Proviſion for tranſporting of goods ſubject to drawback by land conveyance, &c.

Boſton to Providence, by the poſt road, or from Providence to Boſton by the ſame road, and which being imported into Boſton, ſhall be exported from Providence, or being imported into Providence, ſhall be exported from Boſton; ſhall be entitled to the benefit of a drawback of the duties, upon exportation to any foreign port or place under the ſame proviſions, regulations, reſtrictions and limitations, as if the ſaid goods, wares and merchandiſe were tranſported coaſt-wiſe from one to another of the ſaid diſtricts, and alſo upon the conditions following, to wit:— That due entry ſhall be made with the collector of the diſtrict, from which it ſhall be intended to tranſport any goods, wares or merchandiſe, as aforeſaid, in like manner as is required in reſpect to the tranſportation thereof coaſt-wiſe, in purſuance of this act; and the ſaid collector ſhall cauſe the goods, wares and merchandiſe, ſo entered to be inſpected and marked in durable characters, by an officer of the cuſtoms, with the name of the ſaid officer, and the date on which ſuch inſpection ſhall be made; and ſhall grant a permit for the tranſportation thereof, as aforeſaid, therein deſignating the route, and expreſſing the marks, numbers and contents of each cheſt, bale, box or other package, and all other particulars required by this act, to be inſerted in a certificate for the tranſportation coaſt-wiſe, of goods, entitled to drawback, and ſhall and may, whenever he may deem the ſame neceſſary for the ſecurity of the revenue, cauſe each cheſt, bale, box or other package, ſo permitted to be tranſported, to be ſecured with proper faſtenings or under the ſeal of his office— and upon the arrival of any goods, wares or merchandiſe, tranſported under a permit as aforeſaid, and within twenty-four hours thereafter, report and entry ſhall be made to the collector of the diſtrict, as in the caſe of goods

tranſported coaſt-wiſe, purſuant to this act, at which time the permit aforeſaid ſhall be ſurrendered, and the goods, wares or merchandiſe ſhall be inſpected and compared therewith; and on being found to agree, ſhall be entitled to drawback, on the exportation thereof to a foreign port or place, and not otherwiſe. And if any goods wares or merchandiſe, ſo permitted to be tranſported as aforeſaid, ſhall be tranſported by any other route, than that expreſſed in the permit, to be granted as aforeſaid, or ſhall not be accompanied with the ſaid permit, or if due entry ſhall not be made, at the port of arrival, as above required, and if the permit granted as aforeſaid ſhall not be ſurrendered, or if the ſaid goods, wares and merchandiſe ſhall be unpacked, or the contents, or any part thereof, changed before entry and inſpection at the port of arrival, as above required, or if any mark, faſtening or ſeal, placed thereon by direction of any officer of the cuſtoms, ſhall be defaced or broken, in each and every ſuch caſe, the goods, wares, or merchandiſe, in reſpect to which ſuch omiſſion or wrong doing ſhall happen, or the value thereof, ſhall be forfeited and recovered of the perſon or perſons, making default in either of the caſes aforeſaid.

Debenture to be iſſued for the amount of drawback.

Sec. 80. *And be it further enacted*, That for all goods, wares or merchandiſe, entitled to drawback, which ſhall be exported from the diſtrict into which they were originally imported, the exporter or exporters ſhall be entitled to receive from the collector of ſuch diſtrict, a debenture or debentures, for the amount of the drawback, to which ſuch goods, wares, or merchandiſe are entitled, payable at the ſame time or times, reſpectively, on which the duties on the ſaid goods, wares or merchandiſe ſhall become due. And it ſhall be the duty of the ſaid

collector, to diſcharge ſuch debentures, out of the product of the duties ariſing on the importation of the goods exported as aforeſaid.

Provided, That in reſpect to any goods, wares or merchandiſe, on which the whole or any inſtalment of the duties ſhall have been paid prior to an entry for exportation, the debenture for the amount of the drawback of ſuch duties as ſhall have been paid, ſhall be made payable in fifteen days, to be computed from the time of ſigning the bond, to be given as hereinafter directed. *And provided*, That all debentures ſhall be iſſued and made payable to the original importer or importers of the goods, wares and merchandiſe, entered for exportation, whenever the ſame ſhall be requeſted, in writing, by the exporter or exporters, and not otherwiſe.

Certificate to be given of the exportation of goods from a diſtrict other than that of original importation; and debenture to be iſſued in the diſtrict where the duties were paid or ſecured.

And were any goods, wares or merchandiſe, are exported from any other diſtrict than the one into which they were originally imported, it ſhall be the duty of the collector of ſuch diſtrict, together with the naval officer thereof, where there is one, to grant to the exporter or exporters, a certificate, expreſſing that ſuch goods, wares and merchandiſe, were exported from ſuch diſtrict, with the marks, numbers, and deſcriptions of the packages and their contents, the names of the maſter and veſſel in which, and the port to which they were exported, and by whom, and the names of the veſſel and maſter in which they were brought, and by whom ſhipped at the diſtrict from whence they came, and the amount of the drawback to which they are entitled; and ſuch certificate ſhall entitle the poſſeſſor thereof, to receive from the collector of the diſtrict with whom the duties on the ſaid goods were paid, or ſecured to be paid, a debenture or debentures, for the amount of the drawback expreſſed in the ſaid certificate, or certificates, payable at the ſame time, and in

like manner as is herein directed for debentures on goods, wares or merchandiſe, exported from the port or place of original importation; *Provided nevertheleſs*, That the collector aforeſaid may refuſe to grant ſuch debenture or debentures, in caſe it ſhall appear to him that any error has ariſen, or any fraud has been committed; and in caſe of ſuch refuſal, if the debenture or debentures claimed ſhall exceed one hundred dollars, it ſhall be the duty of the ſaid collector to repreſent the caſe to the comptroller of the treaſury, who ſhall determine whether ſuch debenture or debentures ſhall be granted or not. *And provided always*, That in no caſe of an exportation of goods ſhall a drawback be paid, until the duties on the importation thereof ſhall have been firſt received.

In caſe of error or fraud, debenture may be refuſed.

Drawback not to be paid before the duties.

And the form of a certificate to be granted on the exportation to a foreign port, of goods, wares or merchandiſe, from a diſtrict, other than the diſtrict into which ſuch goods were originally imported, ſhall be as follows:—

Diſtrict of
Port of

We hereby certify, that the merchandiſe hereinafter ſpecified, which were imported into the diſtrict of on the of by in the of maſter, from and landed in this diſtrict, in the month of out of the of maſter, from (having been previouſly entered at this office by) have been exported hence by in the belonging to maſter, bound for having been previouſly inſpected and (weighed, gauged, or meaſured, as the caſe may require) and that the ſaid with both of have entered into bond in purſuance of the laws in that caſe made and provided.

Form of the certificate laſt above mentioned.

collector, to diſcharge ſuch debentures, out of the product of the duties ariſing on the importation of the goods exported as aforeſaid.

Provided, That in reſpect to any goods, wares or merchandiſe, on which the whole or any inſtalment of the duties ſhall have been paid prior to an entry for exportation, the debenture for the amount of the drawback of ſuch duties as ſhall have been paid, ſhall be made payable in fifteen days, to be computed from the time of ſigning the bond, to be given as hereinafter directed. *And provided*, That all debentures ſhall be iſſued and made payable to the original importer or importers of the goods, wares and merchandiſe, entered for exportation, whenever the ſame ſhall be requeſted, in writing, by the exporter or exporters, and not otherwiſe.

Certificate to be given of the exportation of goods from a diſtrict other than that of original importation; and debenture to be iſſued in the diſtrict where the duties were paid or ſecured.

And were any goods, wares or merchandiſe, are exported from any other diſtrict than the one into which they were originally imported, it ſhall be the duty of the collector of ſuch diſtrict, together with the naval officer thereof, where there is one, to grant to the exporter or exporters, a certificate, expreſſing that ſuch goods, wares and merchandiſe, were exported from ſuch diſtrict, with the marks, numbers, and deſcriptions of the packages and their contents, the names of the maſter and veſſel in which, and the port to which they were exported, and by whom, and the names of the veſſel and maſter in which they were brought, and by whom ſhipped at the diſtrict from whence they came, and the amount of the drawback to which they are entitled; and ſuch certificate ſhall entitle the poſſeſſor thereof, to receive from the collector of the diſtrict with whom the duties on the ſaid goods were paid, or ſecured to be paid, a debenture or debentures, for the amount of the drawback expreſſed in the ſaid certificate, or certificates, payable at the ſame time, and in

like manner as is herein directed for debentures on goods, wares or merchandiſe, exported from the port or place of original importation; *Provided nevertheleſs*, That the collector aforeſaid may refuſe to grant ſuch debenture or debentures, in caſe it ſhall appear to him that any error has ariſen, or any fraud has been committed; and in caſe of ſuch refuſal, if the debenture or debentures claimed ſhall exceed one hundred dollars, it ſhall be the duty of the ſaid collector to repreſent the caſe to the comptroller of the treaſury, who ſhall determine whether ſuch debenture or debentures ſhall be granted or not. *And provided always*, That in no caſe of an exportation of goods ſhall a drawback be paid, until the duties on the importation thereof ſhall have been firſt received.

In caſe of error or fraud, debenture may be refuſed.

Drawback not to be paid before the duties.

And the form of a certificate to be granted on the exportation to a foreign port, of goods, wares or merchandiſe, from a diſtrict, other than the diſtrict into which ſuch goods were originally imported, ſhall be as follows:—

Diſtrict of
Port of

We hereby certify, that the merchandiſe hereinafter ſpecified, which were imported into the diſtrict of on the of by in the of maſter, from and landed in this diſtrict, in the month of out of the of maſter, from (having been previouſly entered at this office by) have been exported hence by in the belonging to maſter, bound for having been previouſly inſpected and (weighed, gauged, or meaſured, as the caſe may require) and that the ſaid with both of have entered into bond in purſuance of the laws in that caſe made and provided.

Form of the certificate laſt above mentioned.

Marks.	Numbers.	Packages, contents, and rates of duties.	Amount of duties.
		Here insert, in detail, the packages exported, their quality, and contents, the value, if articles subject to duties *ad valorem*, the tare if articles on which tare is allowed, and the rates of duties.	

Net amount of drawbacks payable, dollars and cents.

A. B. Collector.
C. D. Naval Officer.

And the form of the debentures, to be issued as aforesaid, shall be as follows:—

Form of debenture.

No. District of
Debenture for Port of

In pursuance of law, I hereby certify, that the sum of (here insert the amount) will be due from the United States of America, payable at this office, to (here insert the name of the exporter, or his known agent or attorney) or order, on the (here insert the time when payable) for drawback of duties on merchandise imported by (here insert the name of the importer and the denomination and name of the vessel in which they were imported) and exported by the said (here insert the name of the exporter) Provided the duties arising on the importation of the said merchandise shall have been discharged prior to the said time.

A. B. Collector.

Counterfigned,
C. D. Naval Officer.

Debentures assignable.

And for the purpose of maintaining the credit of the said debentures, it is hereby declared that the debentures to be issued as aforesaid

ſhall be aſſignable by delivery and endorſement of the parties, who may receive the ſame; and in all caſes where payment ſhall be refuſed by the collectors of the diſtricts where the ſaid debentures were granted, in conſequence of the non-payment of the duties which accrued on the importation of the goods for which ſuch debentures were iſſued, for a longer time than three days after the ſame ſhall have been due and payable, ſaid refuſal to be proved in the ſame manner as in the caſe of non-payment of bills of exchange, it ſhall be lawful for the poſſeſſor or aſſignee of any debenture, upon which payment has been refuſed as aforeſaid, to inſtitute and maintain, in the proper circuit or diſtrict court of the United States, a ſuit againſt the perſon to whom ſuch debenture was originally granted, or againſt any endorſer thereof, whereby to recover the amount of ſuch debenture, with intereſt at the rate of ſix per centum per annum, from the time when the ſame became due and payable. And in all ſuits for the recovery of money upon debentures iſſued by the collectors of the cuſtoms as aforeſaid, it ſhall be the duty of the court in which ſuch ſuits ſhall be pending, to grant judgment at the return term, unleſs the defendant or defendants ſhall, in open court, exhibit ſome plea, on oath or affirmation, by which the court ſhall be ſatisfied that a continuance, until the next ſucceeding term, is neceſſary to the attainment of juſtice; in which caſe, and not otherwiſe, a continuance until the next term may be granted.

In caſe of the collector's refuſing to pay debentures ſuit may be maintained by the holder againſt the grantee and indorſers thereof.

Judgment at the return term.

Sec. 81. *And be it further enacted*, That before the receipt of any debenture, in caſe of exportation from the diſtrict of original importation, and in caſe of exportation from any other diſtrict before the receipt of any ſuch certificate, as is herein before required to be granted, the

Bond to be given to deliver the goods at a foreign port.

perſon, applying for ſuch debenture or certificate, ſhall, previous to ſuch receipt, and before the clearance of the veſſel in which the merchandiſe were laden for exportation, or within ten days after ſuch clearance, give bond, with one or more ſureties, to the ſatisfaction of the collector, who is to grant ſuch debenture or certificate, as the caſe may be, in a ſum equal to double the amount of the ſum for which ſuch debenture or certificate is granted, conditioned, that the ſaid goods, or any part thereof, ſhall not be re-landed in any port or place within the limits of the United States, and that the ſaid exporter or exporters, ſhall produce, within the time herein limited, the proofs and certificates required of the ſaid goods, wares and merchandiſe, having been delivered without the limits aforeſaid.

And the form of the bond aforeſaid, ſhall be as follows :—

Form of the ſaid bond.

Know all men by theſe preſents, that we of the of are held and firmly bound to the United States of America, in the ſum of for the payment of which, well and truly to be made, we bind ourſelves, our heirs, executors and adminiſtrators, jointly and ſeverally, by theſe preſents. Witneſs our hands and ſeals, this day of one thouſand

Whereas the following merchandiſe has been duly imported into the United States, to wit: (here particularize the perſon or perſons by whom the ſeveral articles were imported, the denomination and name of the veſſel, maſter's name, from whence, into what diſtrict, and when imported, together with the marks, numbers, deſcription of, and number of packages, with their contents) which ſaid merchandiſe hath been re-ſhipped by the above bounden in order to export the ſame in the of maſter, now in the port of and bound for

The condition of this obligation therefore is ſuch, that if the aforeſaid recited merchandiſe, or any part thereof, be not re-landed in any port or place within the limits of the United States, and if the certificates and other proofs required by law of the delivery of the ſame at the aforeſaid port of or at any other port or place without the limits of the United States, as aforeſaid, ſhall be produced at this office, within from the date hereof, then this obligation ſhall be null and void, but otherwiſe to remain in full force and virtue.

Sealed and delivered }
in the preſence of }

That all bonds which may be given for any goods, wares or merchandiſe, exported from the United States, and on which any drawback of duties or allowance ſhall be payable, in virtue of ſuch exportation, ſhall and may be diſcharged, and not otherwiſe, by producing within one year from the date thereof, if the exportation be made to any port of Europe or America, or within two years, if made to any part of Aſia or Africa, a certificate under the hand of the conſignee at the foreign port or place to whom the ſaid goods, wares and merchandiſe ſhall have been addreſſed, therein particularly ſetting forth and deſcribing the articles ſo exported, their marks, numbers, deſcription of packages, the number thereof, and their actual contents, and declaring that the ſame have been received by them, from on board the veſſel ſpecifying the names of the maſter and veſſel, from which they were ſo received, and where ſuch goods, wares or merchandiſe, are not conſigned or addreſſed to any particular perſon at the foreign port or place to which the ſhip or veſſel is deſtined, or may arrive, but where the maſter, or other perſon on board ſuch ſhip or veſſel may be the conſignee of ſuch goods, wares or mer-

Such bond to be diſcharged on producing a certificate from the conſignee.

chandiſe, a certificate from the perſon or perſons to whom ſuch goods, wares and merchandiſe may be ſold or delivered, by ſuch maſter, or other perſon, ſhall be produced to the ſame effect, as that required if the perſon or perſons receiving the ſame were originally intended to be the conſignee or conſignees thereof. And in addition to the certificate aforeſaid, it ſhall be neceſſary to produce a certificate under the hand and ſeal of the conſul or agent of the United States, reſiding at the ſaid place, declaring either that the facts ſtated in the certificate of ſuch conſignee, or other perſon aforeſaid, are to his knowledge true, or that ſuch certificate is deſerving of full faith and credit; which certificates of the conſignee, or other perſon, and conſul, or agent, ſhall, in all caſes, as reſpects the landing or delivery of the ſaid goods, wares or merchandiſe, be confirmed by the oath or affirmation of the maſter and mate, if living, or in caſe of their death, by the oath or affirmation of the two principal ſurviving officers of the ſhip or veſſel in which the exportation ſhall be made; and in all caſes where there ſhall be no conſul or agent of the United States reſiding at the ſaid place of delivery, the certificate of the conſignee, or other perſon herein before required, ſhall be confirmed by the certificate of two reputable American merchants reſiding at the ſaid place, or if there are no ſuch American merchants, then by the certificate of two reputable foreign merchants, teſtifying that the ſeveral facts ſtated in ſuch conſignee, or other perſon's certificate, are, to their knowlege, juſt and true, or that ſuch certificate is, in their opinion, worthy of full faith and credit; which certificate ſhall alſo be ſupported by the oath or affirmation of the maſter and mate, or other principal officers of the veſſel in manner as before preſcribed, which oath or

And another from the Conſul of the U. States.

Where there is no Conſul a different certificate ſhall be produced.

firmation of the ſaid maſter and mate, or other principal officers, ſhall, in all caſes, when taken at a foreign port or place, be taken and ſubſcribed before the conſul or agent of the United States, reſiding at ſuch foreign port or place, if any ſuch conſul or agent reſide thereat.

Courſe of proceeding where the foregoing forms cannot be complied with.

And in caſes of loſs by ſea, or by capture or other unavoidable accident; or when, from the nature of the trade, the proofs and certificates before required are not, and cannot be procured, the exporter or exporters ſhall be allowed to adduce to the collector of the port of exportation ſuch other proofs as they may have, and as the nature of the caſe will admit: which proofs ſhall, with a ſtatement of all the circumſtances attending the tranſaction, within the knowledge of ſuch collector, be tranſmitted to the comptroller of the treaſury, who ſhall have power to allow a further reaſonable time for obtaining the proofs aforeſaid; or if he be ſatisfied with the truth and validity of the proofs adduced, to direct the bond or bonds of ſuch exporter or exporters, to be cancelled: *Provided*, That if the amount of ſuch bond ſhall not exceed the penal ſum of two hundred dollars, the collector, with the naval officer, where there is one, and alone, where there is none, may, purſuant to ſuch rules as ſhall be preſcribed by the comptroller of the treaſury, admit ſuch proof as may be adduced; and if they deem the ſame ſatisfactory, cancel ſuch bond accordingly.

And the form of the certificate of a conſignee, declaring the delivery of merchandiſe at a foreign port, ſhall be as follows:

Form of conſignees certificate.

I (A. A. or we B. B. and C. C.) of the (city or town) of (merchant, or merchants, and copartners in trade) do hereby certify, that the goods or merchandiſe herein after deſcribed,

have been landed in this (city, town or port) between the and days of from on board the of whereof G. G. is at preſent maſter, viz. (here inſert the particular articles delivered in manner following, as the caſe may require; namely

A. B. No. 1. *a* 10. ten hogſheads
C. D. No. 3. 6. 9. 15. four tierces
} Containing fourteen thouſand pounds weight of coffee.

E. F. No. 14. 18. 22. 25. 27. 30. 33. 36. } Eight hogſheads, containing ten thouſand pounds weight of brown ſugar.

G. H. No. 21. *a* 30. Ten cheſts, containing ſeven hundred weight of hyſon tea.

I. K. 7. 16. 19. Three bales, containing one hundred and fifty pieces of nankeen—) which, according to the bills of lading for the ſame, were ſhipped on board the at the port of in the United States of America, on or about the day of and conſigned to (me or to us) by of aforeſaid merchant (or by the maſter of the ſaid)

Given under (my or our) hands, at the (city of) this day of

And the form of the oath or affirmation of the principal officers of a veſſel, confirming the landing of merchandiſe at a foreign port, ſhall be as follows:

Port of

Form of the confirmatory oath to be taken by the officers of the veſſel.

We G. E. maſter, and H. H. mate of the of lately arrived from the port of in the United States of America, do ſolemnly (ſwear or affirm) that the goods or merchandiſe enumerated and deſcribed in the preceding certificate, dated the day of and ſigned by A. A. of the city of merchant, were actually delivered at the ſaid port, from on board

the ſaid within the time ſpecified in the ſaid certificate.

Sworn or affirmed at the city of before me, this day of

And the form of a verification of the delivery of merchandiſe at a foreign port, to be executed by a conſul or agent of the United States, ſhall be as follows:

Form of the conſular verification thereof.

I M. M. (conſul or agent of) the United States of America, at the city of do declare, that the facts ſet forth in the preceding certificate, ſubſcribed by A. A. of the ſaid city, merchant, and dated the day of are, to (my knowledge, juſt and true, or are in my opinion juſt and true, and deſerving full faith and credit.)

In teſtimony whereof, I have hereunto ſubſcribed my name, and affixed the ſeal of my office, at this day of

M. M. Conſul.

And the form of a verification of the delivery of merchandiſe, to be executed by American or foreign merchants, as the caſe may require, ſhall be as follows:

Form of verification by merchants.

We reſiding in the city of do declare, that the facts ſtated in the preceding certificate, ſigned by of the ſaid (city) merchant, on the day of are (to our knowledge, juſt and true, or are in our opinion, juſt and true, and worthy of full faith and credit.) We alſo declare that there is (no conſul or other public agent for the United States of America, or American merchants, as the caſe may require) now reſiding at this place.

Dated at the city of this day of

R. S.

T. L.

have been landed in this (city, town or port) between the and days of from on board the of whereof G. G. is at preſent maſter, viz. (here inſert the particular articles delivered in manner following, as the caſe may require; namely

A. B. No. 1. *a* 10. ten hogſheads
C. D. No. 3. 6. 9. 15. four tierces
} Containing fourteen thouſand pounds weight of coffee.

E. F. No. 14. 18. 22. 25. 27. 30. 33. 36. } Eight hogſheads, containing ten thouſand pounds weight of brown ſugar.

G. H. No. 21. *a* 30. Ten cheſts, containing ſeven hundred weight of hyſon tea.

I. K. 7. 16. 19. Three bales, containing one hundred and fifty pieces of nankeen—) which, according to the bills of lading for the ſame, were ſhipped on board the at the port of in the United States of America, on or about the day of and conſigned to (me or to us) by of aforeſaid merchant (or by the maſter of the ſaid)

Given under (my or our) hands, at the (city of) this day of

And the form of the oath or affirmation of the principal officers of a veſſel, confirming the landing of merchandiſe at a foreign port, ſhall be as follows:

Port of

Form of the confirmatory oath to be taken by the officers of the veſſel.

We G. E. maſter, and H. H. mate of the of lately arrived from the port of in the United States of America, do ſolemnly (ſwear or affirm) that the goods or merchandiſe enumerated and deſcribed in the preceding certificate, dated the day of and ſigned by A. A. of the city of merchant, were actually delivered at the ſaid port, from on board

the ſaid within the time ſpecified in the ſaid certificate.

Sworn or affirmed at the city of before me, this day of

And the form of a verification of the delivery of merchandiſe at a foreign port, to be executed by a conſul or agent of the United States, ſhall be as follows:

Form of the conſular verification thereof.

I M. M. (conſul or agent of) the United States of America, at the city of do declare, that the facts ſet forth in the preceding certificate, ſubſcribed by A. A. of the ſaid city, merchant, and dated the day of are, to (my knowledge, juſt and true, or are in my opinion juſt and true, and deſerving full faith and credit.)

In teſtimony whereof, I have hereunto ſubſcribed my name, and affixed the ſeal of my office, at this day of

M. M. Conſul.

And the form of a verification of the delivery of merchandiſe, to be executed by American or foreign merchants, as the caſe may require, ſhall be as follows:

Form of verification by merchants.

We reſiding in the city of do declare, that the facts ſtated in the preceding certificate, ſigned by of the ſaid (city) merchant, on the day of are (to our knowledge, juſt and true, or are in our opinion, juſt and true, and worthy of full faith and credit.) We alſo declare that there is (no conſul or other public agent for the United States of America, or American merchants, as the caſe may require) now reſiding at this place.

Dated at the city of this day of

R. S.
T. L.

Conſular fees therefor.

And it ſhall be lawful for the conſuls or agents of the United States, reſiding at the foreign ports, to demand twenty-five cents for adminiſtering each oath or affirmation aforeſaid, and one dollar for granting each certificate as aforeſaid; and if any conſul or agent ſhall demand other or greater fees, than are allowed as aforeſaid, his bond ſhall be forfeited.

Penalty on re-landing goods entered for drawback, &c.

Sec. 82. *And be it further enacted*, That if any goods, wares or merchandiſe, entered for exportation, with intent to drawback the duties, or to obtain any allowance given by law, on the exportation thereof, ſhall be landed within any port or place within the limits of the United States as aforeſaid, all ſuch goods, wares, or merchandiſe ſhall be ſubject to ſeizure and forfeiture, together with the ſhip or veſſel from which ſuch goods, wares or merchandiſe ſhall be landed, and the veſſels or boats uſed in landing the ſame; and all perſons concerned therein ſhall on indictment and conviction thereof, ſuffer impriſonment for a term not exceeding ſix months; and for diſcovery of frauds, and ſeazure of goods, wares or merchandiſe, relanded contrary to law, the ſeveral officers, eſtabliſhed by this act, ſhall have the ſame powers, and in caſe of ſeizure, the ſame proceedings ſhall be had, as in the caſe of goods, wares and merchandiſe imported contrary to law.

Powers of the officers of the cuſtoms, in relation to drawbacks.

Bounty on the exportation of pickled fiſh and ſalted proviſions.

Sec. 83. *And be it further enacted*, That on all pickled fiſh of the fiſheries of the United States, exported therefrom, there be allowed and paid a bounty of thirty cents per barrel; and on all proviſions ſalted within the United States (dried fiſh excepted) there be allowed and paid a bounty of twenty-five cents per barrel, to be paid by the collector of the diſtrict from which the ſame ſhall be ſo exported, without any deduction or abatement: *Provided always*, that in order to entitle the exporter or expor-

ters of ſuch pickled fiſh or ſalted proviſions to the benefit of ſuch bounty or allowance, the ſaid exporter or exporters ſhall make entry with the collector and naval officer of the diſtrict, from whence the ſaid pickled fiſh or ſalted proviſions are intended to be exported, and ſhall ſpecify in ſuch entry the names of the maſter and veſſel in which, and the place where ſuch proviſions or fiſh are intended to be exported, together with the particular quantity of each, whether pickled fiſh or ſalted proviſions, and the ſpecies thereof; and proof ſhall be made to the ſatisfaction of the collector of the diſtrict from which ſuch articles are intended to be exported, and of the naval officer thereof, where any, that the ſame, if fiſh, are of the fiſheries of the United States; if ſalted proviſions, that they were ſalted within the United States; and no entry ſhall be received as aforeſaid, of any pickled fiſh or ſalted proviſions, which have not been inſpected and marked, purſuant to the inſpection laws of the reſpective ſtates, where inſpection laws are in force, in regard to any pickled fiſh or ſalted proviſions; and the caſks, containing ſuch fiſh or proviſions, ſhall be branded with the words, "for bounty," with the name of the inſpector or packer, the ſpecies and quality of the fiſh contained therein, and the name of the port of exportation; and the collector of ſuch diſtrict ſhall, together with the naval officer, where there is one, grant an order or permit for an inſpector to examine the pickled fiſh or ſalted proviſions, or both, as expreſſed in ſuch entry, and if they correſpond therewith, and the ſaid officer is fully ſatisfied, that they are, if fiſh, of the fiſheries of the United States, or if proviſions ſalted therein, to lade the ſame agreeably to ſuch entry on board the ſhip or veſſel therein expreſſed; which lading ſhall be performed under the ſuperintendence

Exporter to make entry.

Proof to be made.

The fiſh and proviſions to be inſpected & branded.

Inſpector to examine them.

Permit to lade.

of the officer examining the ſame, who ſhall make returns of the quantity and quality of pickled fiſh, or ſalted proviſions ſo laden on board, in virtue of ſuch order or permit, to the officer or officers granting the ſame. And the ſaid exporter or exporters, when the lading is completed, and after returns thereof have been made, as above directed, ſhall make oath or affirmation, that the pickled fiſh, or ſalted proviſions expreſſed in ſuch entry, and then actually laden on board the ſhip or veſſel as therein expreſſed, are truly and bona fide, if pickled fiſh, of the fiſheries of the United States, if ſalted proviſions, ſalted therein; that they are truly intended to be exported as therein ſpecified, and are not intended to be re-landed within the limits of the United States; and ſhall alſo give bond in double the amount of the duty, bounty, or allowance to be received, with one or more ſureties to the ſatisfaction of the collector of the port or place from which the ſaid pickled fiſh, or ſalted proviſions, are intended to be exported, conditioned that the ſame ſhall be landed and left at ſome foreign port or place without the limits aforeſaid; which bonds ſhall be cancelled at the ſame periods, and in like manner as is provided in reſpect to bonds given on the exportation of goods, wares or merchandiſe, entitled to drawback of duties: *Provided always*, that the ſaid bounty or allowance ſhall not be paid until at leaſt ſix months after the exportation of ſuch pickled fiſh, or ſalted proviſions, to be computed from the date of the bond, and until the exporter or exporters thereof ſhall produce to the collectors with whom ſuch outward entry is made, ſuch certificates, or other ſatisfactory proof, of the landing of the ſame as aforeſaid, as is heretofore made neceſſary for cancelling the bonds given on the exportation of goods entitled to draw-

Exporter to make oath,

and give bond.

Mode of cancelling the bonds.

When the bounty ſhall be paid.

back as aforesaid; *And provided also*, that the bounty or allowance as aforesaid, shall not be paid unless the same shall amount to ten dollars at least upon each entry.

And the form of entry, required to be made as aforesaid, shall be as follows:

Form of entry of fish and provisions for bounty.

Entry of (salted provision or pickled fish, or both, as the case may be) intended to be exported for the benefit of bounty, by (insert the name of the exporter) in the (insert the name and denomination of the vessel) whereof (insert the name of the master) is master, bound for (insert the port of destination.)

Marks as branded on the casks.	Number of barrels.	Description or species of fish or provisions.	Quality.

And the oath or affirmation to be taken by the exporter or exporters of pickled fish, or salted provisions, shall be in manner following:

District of

Form of the oath.

I (insert the name) do solemnly, sincerely, and truly swear (or affirm) to the best of my knowledge and belief, that the (salted provisions or pickled fish, or both, as the case may be) designated in the annexed entry, dated and subscribed with my name, have not been imported from any foreign port or place, but are truly and bona fide (if provisions) salted provisions, cured within the limits of the United States, (or if fish) pickled fish of the fisheries of the United States; that they are

now actually laden on board the (insert the denomination and name of the vessel) whereof (insert the name) is master, and are to be exported to (insert the place of destination) and are not intended to be landed in the limits of the United States. So help me God.

And the form of the bond, to be executed as aforesaid, shall be as follows; to wit,

Form of the bond.

Know all men by these presents, that we are held and firmly bound unto the United States of America, in the sum of to be paid to the said United States; for the payment whereof, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents; sealed with our seals, dated the day of in the year of the independence of the United States, and in the year of our Lord

The condition of this obligation is such, that whereas the above bounden hath entered at the custom house of the port of the following merchandise (here insert the number of packages with their contents, together with their marks and numbers) for the purpose of being exported for the benefit of bounty, in the (insert denomination and name of vessel) whereof (insert name) is master, for (insert name of the place) as per entry thereof made and subscribed by the aforesaid on the day of which merchandise has been laden under the superintendence of A. B. an inspector of the customs for the port of as per return thereof annexed to said entry, which merchandise is now actually on board the said now laying in the port of for the purpose of being exported as aforesaid.

Now therefore, if the said merchandise shall not be re-landed within the limits of the United States, but shall be duly exported to the

or any other port or place, without the limits aforesaid, then this obligation to be void and of no effect, otherwise it shall remain and be in full force and virtue.

Sealed and delivered }
in the presence of }

Forfeiture on making a false entry for exportation, for benefit of drawback or bounty.

Sec. 84. *And be it further enacted*, That if any goods, wares or merchandise of which entry shall have been made in the office of a collector, for the benefit of drawback or bounty upon exportation, shall be entered by a false denomination, or erroneously as to the time when and the vessel in which they were imported, or shall be found to disagree with the packages, quantities or qualities, as they were at the time of original importation, except such disagreement as may have been occasioned by necessary or unavoidable wastage or damage only, and except also in cases where permission shall have been obtained according to law, to alter or change the quantities or packages thereof, all such goods, wares or merchandise, or the value thereof to be recovered of the owner or person making such entry, shall be forfeited. *Provided*, that the said forfeiture shall not be incurred, if it shall be made appear to the satisfaction of the collector and naval officer of the district, if there be a naval officer, and if there be no naval officer, to the satisfaction of the said collector, or of the court in which a prosecution for the forfeiture shall be had, that such false denomination, error, or disagreement happened by mistake or accident, and not from any intention to defraud the revenue.

Vessels detained by ice may unload at other places than ports of delivery.

Sec. 85. *And be it further enacted*, That in all cases where a ship or vessel shall be prevented by ice from getting to the port or place, at which her cargo is intended to be delivered, it shall be lawful for the collector of the district, in which such ship or vessel may be obstructed,

to receive the report and entry of such ship or vessel, and with the consent of the naval officer (where there is one) to grant a permit or permits for unlading or landing the goods, wares, and merchandise imported in such ship or vessel, at any place within his district, which shall appear to him most convenient and proper; *Provided always*, that the report and entry of such ship or vessel, and her cargo, or any part thereof, and all persons concerned therein, shall be under the subject of the same rules, regulations, restrictions, penalties and provisions, as if the said ship or vessel had arrived at the port of her destination, and had there proceeded to the delivery of her cargo.

Officers of the customs not to be concerned in shipping or commerce.

Sec. 86. *And be it further enacted*, That no officer of the customs, or other person employed under the authority of the United States, in the collection of the duties imposed by law on goods, wares or merchandise imported in the United States, and on the tonnage of ships or vessels, shall own, either in whole or in part, any ship or vessel, or act as agent, attorney, or consignee for the owner or owners of any ship or vessel, or of any cargo or lading on board the same; nor shall any officers of the customs, or other person employed in the collection of the duties as aforesaid, import, or be concerned directly or indirectly in the importation of any goods, wares or merchandise, for sale, into the United States, on penalty that every person so offending, and being thereof convicted, shall forfeit and pay the sum of five hundred dollars.

They may buy or dispose of public funds.

Sec. 87. *And be it further enacted*, That so much of the twelfth section of an act, entitled "An act making alterations in the treasury and war departments," as restricts all officers of the United States, employed in the collection of the duties imposed by law on goods, wares and merchandise imported into the United States,

and on the tonnage of ſhips or veſſels, from buying or diſpoſing of the funds or debts of the United States, or of any ſtate, be repealed.

Penalty on their receiving a bribe to connive at a falſe entry, or conniving at ſuch entry.

Sec. 88. *And be it further enacted*, That if any officer of the cuſtoms ſhall directly or indirectly take or receive any bribe, reward or recompence, for conniving, or ſhall connive at any falſe entry of any ſhip or veſſel, or of any goods, wares or merchandiſe, and ſhall be convicted thereof, every ſuch officer or other perſon ſhall forfeit and pay a ſum not leſs than two hundred, nor more than two thouſand dollars for each offence; and any perſon giving or offering any bribe, recompence or reward for any ſuch deception, colluſion, or fraud, ſhall forfeit and pay a ſum not leſs than two hundred dollars, nor more than two thouſand dollars, for each offence; and in all caſes where an oath or affirmation is by this act required from a maſter or other perſon having the command of a ſhip or veſſel, or from an owner or conſignee of any goods, wares, or merchandiſe, his, her, or their factor, or agent, and generally whenever an oath or affirmation is required from any perſon or perſons, whatſoever, by virtue of this act, if the perſon ſo ſwearing or affirming ſhall ſwear, or affirm falſely, ſuch perſon ſhall, on indictment and conviction thereof, be liable to the ſame pains and penalties preſcribed for perſons convicted of wilful and corrupt perjury.

Penalty on giving or offering ſuch a bribe.

Falſe ſwearing to be puniſhed as perjury.

Penalties how to be ſued for.

Sec. 89. *And be it further enacted*, That all penalties, accruing by any breach of this act, ſhall be ſued for, and recovered with coſts of ſuit, in the name of the United States of America, in any court competent to try the ſame; and the trial of any fact, which may be put in iſſue, ſhall be within the judicial diſtrict in which any ſuch penalty ſhall have accrued, and the collector, within whoſe diſtrict the ſeizure ſhall be made, or forfeiture incurred, is hereby en-

joined to cauſe ſuits for the ſame to be commenced without delay, and proſecuted to effect; and is moreover authoriſed to receive from the court within which ſuch trial is had, or from the proper officer thereof, the ſum or ſums ſo recovered, after deducting all proper charges to be allowed by the ſaid court, and on receipt thereof the ſaid collector ſhall pay and diſtribute the ſame without delay, according to law, and tranſmit quarter yearly to the treaſury an account of all monies by him received for fines, penalties and forfeitures, during ſuch quarter. And all ſhips or veſſels, goods, wares or merchandiſe, which ſhall become forfeited in virtue of this act, ſhall be ſeized, libelled and proſecuted as aforeſaid, in the proper court having cognizance thereof; which court ſhall cauſe fourteen days notice to be given of ſuch ſeizure and libel, by cauſing the ſubſtance of ſuch libel, with the order of the court thereon, ſetting forth the time and place appointed for trial, to be inſerted in ſome news-paper publiſhed near the place of ſeizure, and alſo by poſting up the ſame in the moſt public manner, for the ſpace of fourteen days, at or near the place of trial; for which advertiſement a ſum not exceeding ten dollars ſhall be paid: And proclamation ſhall be made in ſuch manner as the court ſhall direct; and if no perſon ſhall appear and claim any ſuch ſhip or veſſel, goods, wares or merchandiſe, and give bond to defend the proſecution thereof, and to reſpond the coſt in caſe he ſhall not ſupport his claim, the court ſhall proceed to hear and determine the cauſe according to law; and upon the prayer of any claimant to the court, that any ſhip or veſſel, goods, wares or merchandiſe, ſo ſeized and proſecuted, or any part thereof, ſhould be delivered to ſuch claimant, it ſhall be lawful for the court to appoint three proper perſons to appraiſe ſuch ſhip

Collectors authorized to receive penalties when recovered,

Manner of proceeding to the condemnation of veſſels and goods ſeized.

or veſſel, goods, wares or merchandiſe, who ſhall be ſworn in open court for the faithful diſcharge of their duty; and ſuch appraiſement ſhall be made at the expenſe of the party on whoſe prayer it is granted; and on the return of ſuch appraiſement, if the claimant ſhall, with one or more ſureties, to be approved of by the court, execute a bond in the uſual form of the United States, for the payment of a ſum equal to the ſum at which the ſhip or veſſel, goods, wares or merchandiſe, ſo prayed to be delivered, as appraiſed, and moreover produce a certificate from the collector of the diſtrict wherein ſuch trial is had, and of the naval officer thereof, if any there be, that the duties on the goods, wares and merchandiſe, or tonnage duty on the ſhip or veſſel, ſo claimed, have been paid or ſecured in like manner, as if the goods, wares or merchandiſe, ſhip or veſſel had been legally entered, the court ſhall, by rule, order ſuch ſhip or veſſel, goods, wares and merchandiſe, to be delivered to the ſaid claimant, and the ſaid bond ſhall be lodged with the proper officer of the court, and if judgment ſhall paſs in favor of the claimant, the court ſhall cauſe the ſaid bond to be cancelled; but if judgment ſhall paſs againſt the claimant, as to the whole, or any part of ſuch ſhip or veſſel, goods, wares or merchandiſe, and the claimant ſhall not within twenty days thereafter pay into the court, or to the proper officer thereof, the amount of the appraiſed value of ſuch ſhip or veſſel, goods, wares or merchandiſe ſo condemned, with the coſts, judgment ſhall and may be granted upon the bond on motion in open court, without further delay. And when any proſecution ſhall be commenced, on account of the ſeizure of any ſhip or veſſel, goods, wares or merchandiſe, and judgment ſhall be given for the claimant or claimants; if it ſhall appear to the court before whom ſuch

profecution ſhall be tried, that there was a reaſonable cauſe of ſeizure, the ſaid court ſhall cauſe a proper certificate or entry to be made thereof, and in ſuch caſe the claimant or claimants ſhall not be entitled to coſts, nor ſhall the perſon who made the ſeizure, or the proſecutor, be liable to action, ſuit or judgment on account of ſuch ſeizure and proſecution; *Provided*, That the ſhip or veſſel, goods, wares or merchandiſe, be after judgment forthwith returned to ſuch claimant or claimants, his, her, or their agent or agents; *And provided*, That no action or proſecution ſhall be maintained in any caſe under this act, unleſs the ſame ſhall have been commenced within three years next after the penalty or forfeiture was incurred.

Limitation of ſuits under this act.

Sec. 90. *And be it further enacted*, That all ſhips or veſſels, goods, wares or merchandiſe, which ſhall be condemned by virture of this act, and for which bond ſhall not have been given by the claimant or claimants, agreeably to the proviſions for that purpoſe in the foregoing ſection, ſhall be ſold by the marſhal or other proper officer of the court in which condemnation ſhall be had, to the higheſt bidder, at public auction, by order of ſuch court, and at ſuch place as the court may appoint, giving at leaſt fifteen days notice (except in caſes of periſhable goods) in one or more of the public newſpapers of the place where ſuch ſale ſhall be; or if no paper is publiſhed in ſuch place, in one or more of the papers publiſhed in the neareſt place thereto; for which advertiſing, a ſum not exceeding five dollars ſhall be paid. And the amount of ſuch ſales, deducting all proper charges, ſhall be paid within ten days after ſuch ſale by the perſon ſelling the ſame, to the clerk or other proper officer of the court directing ſuch ſale, to be by him, after deducting the charges allowed by the court, paid to the col-

Condemned ſhips & goods to be ſold at public auction.

lector of the diſtrict in which ſuch ſeizure or forfeiture has taken place, as herein before directed.

Sec. 91. *And be it further enacted*, That all fines, penalties and forfeitures, recovered by virtue of this act (and not otherwiſe appropriated) ſhall, after deducting all proper coſts and charges, be diſpoſed of as follows;—one moiety ſhall be for the uſe of the United States, and be paid into the treaſury thereof, by the collector receiving the ſame; the other moiety ſhall be divided between, and paid in equal proportions to, the collector, and naval officer of the diſtrict, and ſurveyor of the port, wherein the ſame ſhall have been incurred, or to ſuch of the ſaid officers as there may be in the ſaid diſtrict; and in diſtricts where only one of the foreſaid officers ſhall have been eſtabliſhed, the ſaid moiety ſhall be given to ſuch officer; *Provided nevertheleſs*, That in all caſes where ſuch penalties, fines and forfeitures ſhall be recovered in purſuance of information given to ſuch collector, by any perſon other than the naval officer or ſurveyor of the diſtrict, the one half of ſuch moiety ſhall be given to ſuch informer, and the remainder thereof ſhall be diſpoſed of between the collector, naval officer, and ſurveyor, or ſurveyors, in manner aforeſaid: *Provided alſo*, That where any fines, forfeitures and penalties, incurred by virtue of this act, are recovered in conſequence of any information given by any officer of a revenue cutter, they ſhall, after deducting all proper coſts and charges, be diſpoſed of as follows;—one fourth part ſhall be for the uſe of the United States, and paid into the treaſury thereof in manner as before directed; one fourth part for the officers of the cuſtoms, to be diſtributed as herein before ſet forth; and the remainder thereof to the officers of ſuch cutter, to be divided among them agree-

Diſtribution of fines, penalties & forfeitures.

ably to their pay: *And provided likewiſe*, That whenever a ſeizure, condemnation and ſale of goods, wares or merchandiſe, ſhall take place within the United States, and the value thereof ſhall be leſs than two hundred and fifty dollars, that part of the forfeiture which accrues to the United States, or ſo much thereof as may be neceſſary, ſhall be applied to the payment of the coſt of proſecution: *And be it further provided*, That if any officer, or other perſon entitled to a part or ſhare of any of the fines, penalties, or forfeitures, incurred in virtue of this act, ſhall be neceſſary as a witneſs on the trial for ſuch fine, penalty, or forfeiture, ſuch officer or other perſon may be a witneſs upon the ſaid trial; but in ſuch caſe he ſhall not receive nor be entitled to any part or ſhare of the ſaid fine, penalty or forfeiture, and the part or ſhare to which he otherwiſe would have been entitled, ſhall revert to the United States.

Perſons entitled to a ſhare of the fines, &c. may be witneſſes, &c.

Sec. 92. *And be it further enacted*, That except into the diſtricts herein before deſcribed on the northern, north-weſtern and weſtern boundaries of the United States, adjoining to the dominions of Great-Britain, in Upper and Lower Canada, and the diſtricts on the rivers Ohio and Miſſiſippi, no goods, wares or merchandiſe of foreign growth or manufacture, ſubject to the payment of duties ſhall, be brought into the United States from any foreign port or place in any other manner than by ſea, nor in any ſhip or veſſel of leſs than thirty tons burthen, agreeably to the admeaſurement hereby directed for aſcertaining the tonnage of ſhips or veſſels; nor ſhall be landed or unladen at any other port than is directed by this act, under the penalty of ſeizure and forfeiture of all ſuch ſhips or veſſels, and of the goods, wares or merchandiſe imported therein, landed or unladen in any other manner. And no drawback of any du-

Except in certain diſtricts no goods to be brought into the U. States, but by ſea and in veſſels of at leaſt 30 tons bur then, &c.

ties on goods, wares or merchandiſe of foreign growth or manufacture, ſhall be allowed on the exportation thereof from any diſtrict of the United States, otherwiſe than by the ſea, and in veſſels not leſs than thirty tons burthen.

Drawback to be allowed only on exportations by ſea and in veſſels of 30 tons & upwards.

Sec. 93. *And be it further enacted*, That the maſter or perſon having the charge or command of any ſhip or veſſel, bound to a foreign port or place, ſhall deliver to the collector of the diſtrict from which ſuch ſhip or veſſel ſhall be about to depart, a manifeſt of all the cargo on board the ſame, and the value thereof, by him ſubſcribed, and ſhall ſwear, or affirm to the truth thereof; whereupon the ſaid collector ſhall grant a clearance for ſuch ſhip or veſſel and her cargo, but without ſpecifying the particulars thereof in ſuch clearance, unleſs required by the ſaid maſter, or other perſon having the charge or command of ſuch ſhip, or veſſel, ſo to do. And if any ſhip or veſſel, bound to a foreign port or place, ſhall depart on her voyage to ſuch foreign port or place, without delivering ſuch manifeſt, and obtaining a clearance as hereby required, the ſaid maſter, or other perſon having the charge or command of ſuch ſhip or veſſel, ſhall forfeit and pay the ſum of five hundred dollars, for every ſuch offence:—

Maſters of veſſels bound to foreign ports to exhibit manifeſts and obtain clearances.

Penalty in default thereof.

And the form of the report and manifeſt, to be delivered as aforeſaid, ſhall be as follows:

Report and manifeſt of the cargo, laden at the port of on board the maſter, bound for port

Form of the manifeſt.

Marks.	Numbers.	Packages or articles in bulk.	Contents or quantities.	Value at the port of exportation.

Oath to be taken on clearing.

And the oath or affirmation, to be taken by the maſter or commander of the ſhip or veſſel as aforeſaid, ſhall be as follows:

District of

I (inſert the name) maſter or commander of the (inſert the denomination and name of the veſſel) bound from the port of (inſert the name of the port or place ſailing from) to (inſert the name of the place or port, bound to) do ſolemnly, ſincerely and truly ſwear (or affirm as the caſe may be) that the manifeſt of the cargo on board the ſaid (inſert denomination and name of the veſſel) now delivered by me to the collector of this diſtrict, and ſubſcribed with my name, contains, according to the beſt of my knowledge and belief, a full, juſt and true account of all the goods, wares and merchandiſe now actually laden on board the ſaid veſſel, and of he value thereof; and if any other goods, wares, or merchandiſe ſhall be laden or put on board the ſaid (inſert denomination and name of veſſel) previous to her ſailing from this port, I will immediately report the ſame to the ſaid collector. I do alſo ſwear (or affirm) that I verily believe the duties on all the foreign merchandiſe therein ſpecified have been paid or ſecured, according to law, and that no part thereof is intended to be re-landed within the United States, and that if by diſtreſs or other unavoidable accident it ſhall become neceſſary to re-land the ſame, I will forthwith make a juſt and true report thereof to the collector of the cuſtoms of the diſtrict wherein ſuch diſtreſs or accident may happen. So help me God.

Form of clearance.

And the form of a clearance, to be granted to a ſhip or veſſel on her departure to a foreign port or place, ſhall be as follows:

District of ſs.

Port of

Theſe are to certify all whom it doth concern that maſter or commander of the

burthen tons, or thereabouts, mounted with guns, navigated with men built, and bound for having on board

hath here entered and cleared his ſaid veſſel according to law.

Given under our hands and ſeals, at the cuſtom houſe of this day of one thouſand and in the year of the independence of the United States of America.

Provided, any thing to the contrary notwithſtanding, that the collectors and other officers of the cuſtoms, ſhall, and they are hereby directed to pay due regard to the inſpection laws of the ſtates in which they may reſpectively act, in ſuch manner, that no veſſel having on board goods liable to inſpection, ſhall be cleared out until the maſter, or other proper perſon, ſhall have produced ſuch certificate that all ſuch goods have been duly inſpected, as the laws of the reſpective ſtates do or may require to be produced to collectors or other officers of the cuſtoms. *And Provided*, That receipts for the payment of all legal fees which ſhall have accrued on any ſhip or veſſel ſhall, before any clearance is granted, be produced to the collector or other officer aforeſaid.

Veſſels not to be cleared until the inſpection laws of the ſtates are complied with, and all legal fees paid.

Sec. 94. *And be it further enacted*, That the importer or importers of any horſes, cattle, ſheep, ſwine, or other uſeful beaſts, imported into the United States for the purpoſe of breed, ſhall make entry for ſuch horſes, cattle, ſheep, ſwine, or other uſeful beaſts, as in the caſe of other goods, wares or merchandiſe, and obtain a permit for landing the ſame, and ſhall likewiſe make oath or affirmation, that they are actually imported for the purpoſe above mentioned; and any horſes, cattle, ſheep, ſwine, or

Beaſts imported for breed to be entered, &c.

other beaſts, landed without the proviſions above mentioned being fully complied with, ſhall be ſubject to ſeizure and forfeiture.

Subſtitutes may act in certain caſes.

Sec. 95. *And be it further enacted*, That all matters directed by this act to be done to, or by the collector of a diſtrict, or by the naval officer thereof, ſhall and may be done to, and by the perſon, who in the caſes ſpecified in this act, is or may be authoriſed to act in the place or ſtead of the ſaid collector, or of the ſaid naval officer.

Affirmation may be made inſtead of oath.

Sec. 96. *And be it further enacted*, That whenever an oath is required by this act, perſons conſciouſly ſcrupulous ſhall be permitted to affirm.

Revenue cutters to be provided.

Sec. 97. *And be it further enacted*, That the Preſident of the United States be empowered, for the better ſecuring the collection of the duties impoſed on goods, wares and merchandiſe imported into the United States, and on the tonnage of ſhips or veſſels, to cauſe to be built and equipped ſo many revenue cutters not exceeding ten, as may be neceſſary to be employed for the protection of the revenue, the expence whereof ſhall be paid out of the product of the duties on goods, wares and merchandiſe imported into the United States, and on the tonnage of ſhips or veſſels.

Officers & men for the revenue cutters, &c.

Sec. 98. *And be it further enacted*, That there ſhall be to each of the ſaid revenue cutters, one captain or maſter, and not more than three lieutenants or mates, firſt, ſecond and third, and not more than ſeventy men, including non-commiſſioned officers, gunners and mariners. And the Secretary of the Treaſury is hereby authorized to cauſe contracts to be made for the ſupply of rations for the officers and men of the ſaid revenue cutters; *Provided*, that the ſaid revenue cutters ſhall, whenever the Preſi-

dent of the United States ſhall ſo direct, co-operate with the navy of the United States, during which time, they ſhall be under the direction of the Secretary of the Navy, and the expences thereof ſhall be defrayed by the agents of the Navy Department.

Cutters may co-operate with the navy.

Sec. 99. *And be it further enacted*, That the officers of the ſaid revenue cutters ſhall be appointed by the Preſident of the United States, and ſhall reſpectively be deemed officers of the cuſtoms, and ſhall be ſubject to the direction of ſuch collectors of the revenue, or other officers thereof, as from time to time ſhall be deſignated for that purpoſe; they ſhall have power and authority, and are hereby required and directed to go on board all ſhips or veſſels, which ſhall arrive within the United States, or within four leagues of the coaſt thereof, if bound for the United States, and to ſearch and examine the ſame, and every part thereof, and to demand, receive, and certify the manifeſts herein before required to be on board certain ſhips or veſſels, and to affix and put proper faſtenings on the hatches and other communications with the hold of any ſhip or veſſel, and to remain on board the ſaid ſhips and veſſels, until they arrive at the port or place of their deſtination. It ſhall likewiſe be the duty of the maſter or other perſon having at any time the command of any of the ſaid revenue cutters, to make a weekly return to the collector, or other officer of the diſtrict under whoſe direction they are placed, of the tranſactions of the cutter under their command, ſpecifying therein, the veſſels that have been boarded, their names and deſcriptions, the names of the maſters, and from what port or place they laſt ſailed, whether laden or in ballaſt, whether ſhips or veſſels of the United States, or to what other nation belonging, and whether they have the neceſſary manifeſt or

How their officers are to be appointed.

To whoſe direction they ſhall be ſubject, and their duties.

manifeſts of their cargoes on board, and generally all ſuch matters as it may be neceſſary for the collectors or other officers of the cuſtoms to be made acquainted with; and the officers of the ſaid cutters ſhall likewiſe execute and perform ſuch other duties for the collection and ſecurity of the revenue, as from time to time ſhall be enjoined and directed by the Secretary of the Treaſury, not contrary to law, and the proviſions herein before contained.

New cutters to be provided in lieu of thoſe unfit for ſervice, and the old ones to be ſold.

Sec. 100. *And be it further enacted*, That the Preſident be, and he is hereby authorized to cauſe other revenue cutters to be built or purchaſed, in lieu of ſuch as are or ſhall from time to time become unfit for further ſervice; and to cauſe ſuch as are ſo become unfit for further ſervice, to be ſold at public auction, and the proceeds of ſuch ſales to be paid into the treaſury of the United States. And the expence of purchaſing other cutters as aforeſaid, as well as all future expences of building, purchaſing or repairing revenue cutters, ſhall be paid out of the product of the duties on goods, wares or merchandiſe imported into the United States, and on the tonnage of ſhips or veſſels.

Revenue boats may be provided.

Sec. 101. *And be it further enacted*, That the collectors of the reſpective diſtricts may, with the approbation of the Secretary of the Treaſury, provide and employ ſuch ſmall open row and ſail boats, in each diſtrict, together with the number of perſons to ſerve in them, as ſhall be neceſſary for the uſe of the ſurveyors and inſpectors in going on board of ſhips or veſſels and otherwiſe, for the better detection of frauds; the expence of which ſhall be defrayed out of the product of the duties.

Cutters & boats to be diſtin-

Sec. 102. *And be it further enacted*, That the cutters and boats, employed in the ſervice of the revenue, ſhall be diſtinguiſhed from other

veſſels, by an enſign and pendant, with ſuch marks thereon as ſhall be preſcribed and directed by the Preſident of the United States; and in caſe any ſhip or veſſel liable to ſeizure or examination ſhall not bring to, on being required, or being chaſed by any cutter or boat having diſplayed the pendant and enſign preſcribed for veſſels in the revenue ſervice, it ſhall be lawful for the captain, maſter or other perſon having command of ſuch cutter or boat, to fire at or into ſuch veſſel which ſhall not bring to, after ſuch pendant and enſign ſhall be hoiſted, and a gun ſhall have been fired by ſuch cutter or boat as a ſignal; and ſuch captain, maſter or other perſon as aforeſaid, and all perſons acting by or under his direction, ſhall be indemnified from any penalties, or actions for damages for ſo doing; and if any perſon ſhall be killed or wounded by ſuch firing, and the captain, maſter, or other perſon aforeſaid, ſhall be proſecuted or arreſted therefor, ſuch captain, maſter or other perſon ſhall be forthwith admitted to bail.—And if any ſhip, veſſel or boat, not employed in the ſervice of the revenue, ſhall, within the juriſdiction of the United States, carry or hoiſt any pendant or enſign preſcribed for veſſels in the ſervice aforeſaid, the maſter, or commander of the ſhip or veſſel ſo offending ſhall forfeit and pay one hundred dollars.

guiſhed by an enſign and pendant.

They may fire at veſſels refuſing to bring to.

Penalty on other veſſels or boats carrying the revenue enſign & pendant.

Sec. 103. *And be it further enacted*, That no beer, ale, or porter ſhall be brought into the United States by ſea from any foreign port, or place, except in caſks, or veſſels, the capacity whereof ſhall not be leſs than forty gallons, beer meaſure, or in packages containing not leſs than ſix dozen bottles, on pain of forfeiture of the ſaid beer, ale, or porter, and the ſhip or veſſel in which the ſame ſhall be brought; nor ſhall any refined lump or loaf ſugar be imported into the United States, from any foreign port or

Veſſels & packages in which alone certain articles are to be imported.

place by ſea, except in ſhips or veſſels of one hundred and twenty tons burthen and upwards, and in caſks or packages containing each not leſs than ſix hundred pounds weight; nor ſhall any diſtilled ſpirits (arrack and ſweet cordials excepted) be imported, or brought into the United States, except in caſks or veſſels of the capacity of ninety gallons wine meaſure and upwards, nor in caſks or veſſels which have been marked purſuant to any law of the United States, on pain or forfeiture of the ſaid refined lump and loaf ſugar, and diſtilled ſpirits, imported contrary to the proviſions herein deſcribed, together with the ſhip, or veſſel, in which they ſhall be ſo imported;—*Provided*, That nothing contained in this act ſhall be conſtrued to forfeit any ſpirits for being imported, or brought into the United States, in other caſks or veſſels as aforeſaid, or the ſhip or veſſel in which they ſhall be brought, if ſuch ſpirits ſhall be for the uſe of the ſeamen, on board ſuch ſhip or veſſel, and ſhall not exceed the quantity of four gallons for each ſeaman.

Saving of ſpirits for the uſe of the ſeamen.

Sec. 104. *And be it further enacted*, That for the purpoſe of conforming this act to certain ſtipulations contained in treaties made and ratified under the authority of the United States, it is hereby declared, that it ſhall at all times be free to Britiſh ſubjects, and alſo to the Indians dwelling on either ſide of the boundary line of the United States, as ſettled by the treaty of peace, freely to paſs and repaſs, by land or inland navigation, into and from the territories of the United States, and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with the citizens of the United States; *Provided*, That nothing herein contained ſhall be conſtrued to juſtify the admiſſion of Britiſh veſſels from the ſea into the rivers of the United States, beyond the

Privileges of Britiſh ſubjects & Indians in conformity with treaties.

higheſt ports of entry for foreign veſſels from the ſea; and all goods and merchandiſe, the importation of which into the United States ſhall not be wholly prohibited, ſhall and may freely, for the purpoſes of commerce, be brought into the ſame, in manner aforeſaid, by Britiſh ſubjects, from the territories of the king of Great-Britain, in America; and ſuch goods and merchandiſe ſhall be ſubject to no higher or other duties, than are or ſhall be payable by the citizens of the United States, on the importation of the ſame in American veſſels into the Atlantic ports of the United States: And all goods, not prohibited to be exported from the United States, may, in manner aforeſaid, be carried out of the United States into the territories aforeſaid.

No duties on peltries or goods of Indians.

Sec. 105. *And be it further enacted*, That no duty ſhall be levied or collected on the importation of peltries brought into the territories of the United States, nor on the proper goods and effects of whatever nature, of Indians paſſing, or re-paſſing the boundary line aforeſaid, unleſs the ſame be goods in bales or other large packages unuſual among Indians, which ſhall not be conſidered as goods belonging bona fide to Indians, nor be entitled to the exemption from duty aforeſaid. And no higher or other tolls or rates of ferriage, than what are or ſhall be payable by citizens of the United States, ſhall be demanded of Britiſh ſubjects, and no duties ſhall be payable on any goods, which ſhall merely be carried over any of the portages or carrying places within the territories of the United States, for the purpoſe of being immediately reimbarked, and carried to ſome other place or places; *Provided*, That this laſt mentioned exemption from duty ſhall extend only to ſuch goods as are carried in the uſual and direct road acroſs ſuch portages and carrying places, and are not

Further privileges of Britiſh ſubjects.

attempted to be in any manner ſold or exchanged during their paſſage acroſs the ſame.—And it ſhall be lawful for citizens of the United States, and for all other perſons, to import any goods or merchandiſe, of which the importation ſhall not be entirely prohibited, into the diſtricts, which are or may be eſtabliſhed on the northern and north-weſtern boundaries of the United States, and on the rivers Ohio and Miſſiſippi, in veſſels or boats of any burthen, and in rafts or carriages of any kind or nature whatſoever.

In the northern, and north weſtern diſtricts, &c. importations may be made in veſſels, &c. of any kind whatever.

Sec. 106. *And be it further enacted*, That all veſſels, boats, rafts, and carriages, of what kind and nature ſoever, arriving in the diſtricts aforeſaid, containing goods, wares or merchandiſe, ſubject to duties on being imported into any port of the United States, ſhall be reported to the collector, or other chief officer of the cuſtoms at the port of entry, in the diſtrict into which they ſhall be ſo imported; and ſuch goods ſhall be accompanied with like manifeſts, and like entries ſhall be made, by the perſons having charge of any veſſels, boats, rafts and carriages aforeſaid, and by the owners or conſignees of the goods, wares and merchandiſe, laden on board the ſame; and the powers and duties of the officers of the cuſtoms ſhall be exerciſed and diſcharged in the diſtricts laſt mentioned, in like manner as is herein before directed and preſcribed, in reſpect to goods, wares and merchandiſe imported into the United States, in veſſels from the ſea—and generally, all importations as aforeſaid ſhall be ſubject to like regulations, penalties and forfeitures as in other diſtricts, except as is herein after ſpecially provided.

Proviſions of this act extended to thoſe diſtricts.

Sec. 107. *And be it further enacted*, That when any goods, wares, or merchandiſe ſubject to duties, ſhall be imported into any of the diſtricts before mentioned, and which ſhall be reported

Entry to be made of goods to be carried over portages.

as being deſtined to be carried over any of the portages or carrying places within the territories of the United States, for the purpoſes of being immediately re-imbarked, and carried to ſome other port or place, it ſhall be the duty of the owner or conſignee of the goods, wares, or merchandiſe intended to be tranſported as aforeſaid, to make entry thereof, as particularly as is herein before directed and preſcribed, in reſpect to the like goods, wares and merchandiſe, when entered for the payment of duties, and moreover ſpecifying in ſuch entry the route, portage and carrying place, by and over which it is intended to tranſport the ſame; which entry ſhall be verified on oath or affirmation in manner following:

Which entry ſhall be verified on oath.

Diſtrict of

Port of

I (here inſert the name of the perſon making the entry) do ſolemnly, ſincerely and truly ſwear, (or affirm) that the entry now ſubſcribed with my name, and delivered by me to the collector of (inſert the name of the diſtrict) contains a juſt and true account of all the goods, wares and merchandiſe, contained in the ſeveral packages therein mentioned; that they are brought into this diſtrict, ſolely for the purpoſe of being carried and tranſported by the way of (here inſert the portage or carrying place) with intention of being immediately re-imbarked and carried without the limits of the United States; and are not intended, directly, or indirectly, to be ſold, exchanged, or conſumed, within the limits of the United States; and, I do further ſwear, (or affirm) that if I ſhall hereafter know, or diſcover, that the whole, or any part of the ſaid goods, wares or merchandiſe, ſhall have been ſold, alienated, exchanged, or conſumed, within the limits of the United States, I will

Form of the oath.

immediately report the ſame, with the circumſtances thereof, truly to the collector of this diſtrict. So help me God.

Collector to make examination, and thereupon grant a protection for the goods.

Sec. 108. *And be it further enacted*, That the collector who ſhall receive any entry as aforeſaid, ſhall cauſe due examination, inſpection and ſearch to be made, in like manner as is herein before preſcribed, in reſpect to importations made in veſſels arriving by the ſea, or intended to be exported from the United States, and, being ſatisfied therewith, ſhall thereupon grant a certificate or protection for the ſaid goods, wares or merchandiſe which ſhall accompany the ſame, and which certificate or protection ſhall be of the form following, to wit:

Diſtrict of ſs.

Port of

Form of the protection.

It is hereby certified, that (here inſert the name of the perſon making entry) has made entry in this office, according to law, of the following merchandiſe (here inſert the particulars of the packages and merchandiſe, and the ſeveral marks, numbers and contents thereof as in the entry) and has made oath, that the ſaid merchandiſe are intended to be tranſported by the route of (here inſert the portage or carrying place) to (here inſert the propoſed place of reimbarkation) for the purpoſe of being tranſported without the limits of the United States. Now therefore, this certificate is to ſerve as a protection for the ſaid merchandiſe, during the tranſportation thereof by the route aforeſaid; *Provided*, That the ſaid merchandiſe, or any part thereof, are not and ſhall not be unpacked, alienated, ſold or conſumed within the limits of the United States, or be tranſported by any other route than is above ſpecified, in either of which caſes the ſaid merchandiſe may be ſeized

and forfeited, this certificate and protection notwithſtanding.

As witneſs my hand and ſeal the day and year above mentioned.

A. B. Collector.

And no certificate as aforeſaid ſhall be in force for any term exceeding ſix months from the date thereof.

Penalty on fraudulently opening the merchandiſe, ſelling it, &c.

Sec. 109. *And be it further enacted*, That if any perſon having the charge, or being concerned in the tranſportation of any goods, wares or merchandiſe, entered as aforeſaid, for the purpoſe of being tranſported acroſs any of the portages or carrying places within the limits of the United States, and to be delivered without the limits thereof, ſhall, with intent to defraud the revenue, break open or unpack any part of the ſaid merchandiſe, or ſhall ſell, exchange or conſume the ſame, or with like intent ſhall break or deface any ſeal or faſtening, placed thereon by any officer of the revenue, or if any perſon whatever ſhall deface, alter or forge any certificate, granted for the protection of merchandiſe tranſported as aforeſaid, each and every perſon ſo offending, ſhall forfeit and pay five hundred dollars, and ſhall be impriſoned not leſs than one nor more than ſix months, at the diſcretion of the court before which ſuch perſon ſhall be convicted.

This act not to exempt from certain oaths.

Sec. 110. *And be it further enacted*, That nothing contained in this act ſhall be conſtrued to exempt the maſters or owners of veſſels from making and ſubſcribing any oaths or affirmations required by any laws of the United States, not immediately relating to the collection of the duties on the importation of goods, wares and merchandiſe into the United States.

Sec. 111. *And be it further enacted*, That in caſes where the forms of official documents, as

No forfeiture to be incurred where the forms of documents are substantially complied with:—

They may be varied by additions.

prescribed by this act, shall be substantially complied with and observed, according to the true spirit, meaning and intent thereof, no penalty or forfeiture shall be incurred by a deviation therefrom; and the officers of the department of the treasury, according to their respective powers and duties, shall and may from time to time prescribe additions to the said forms, for the purpose of adapting the same to any alterations which may be made to the rates of duties on the importation of goods, wares and merchandise, and on the tonnage of ships and vessels, and for the better collection and payment of the said duties;—*Provided however*, That it shall not be competent for the said officers to prescribe any form or regulations incompatible with or contravening the special provisions of this act.

Repeal of former acts.

Sec. 112. *And be it further enacted*, That from and after the thirtieth day of June next ensuing, the act of Congress passed on the fourth day of August in the year one thousand seven hundred and ninety, entitled "An act to provide more effectually for the collection of the duties on goods, wares and merchandise imported into the United States, and on the tonnage of ships and vessels," and also all other acts or parts of acts, coming within the purview of this act, shall be repealed and thenceforth cease to operate, except as to the continuance of the officers appointed in pursuance of the said act or parts of acts; except also as to the recovery and receipt of such duties on goods, wares and merchandise, and on the tonnage of ships or vessels, as shall have accrued; and as to the payment of drawbacks, bounties and allowances upon the exportation of goods, wares and merchandise, and as to the recovery and distribution of fines, penalties and forfei-

tures, which ſhall have been incurred before and on the ſaid day; ſubject nevertheleſs, in reſpect to the collection of duties, to the alterations contained and expreſſed in the preſent act.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

TH: JEFFERSON, *Vice-President of the United States, and President of the Senate.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXIX.

An act to eſtabliſh the compenſations of the officers employed in the collection of the duties on imports and tonnage; and for other purpoſes.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That every collector, naval officer and ſurveyor, employed in the collection of the duties on imports and tonnage, ſhall within three months after he enters upon the execution of his office, give bond, with one or more ſufficient ſureties, to be approved of by the Comptroller of the Treaſury of the United States, and payable to the ſaid United States, with condition for the true and faithful diſcharge of the duties of his office according to law, that is to ſay;—the collector of Philadelphia and New-York, in the ſum of ſixty thouſand dollars, each; the collector of Boſton and Charleſtown, forty thouſand dollars; the collectors of Baltimore and Charleſton, thirty thouſand dollars, each; the collector of Norfolk and Portſmouth, fifteen thouſand dollars; the collectors of Portſmouth in New-Hampſhire, of Salem and Beverly, Wilmington (in the ſtate of Delaware) Annapolis, Georgetown (in Maryland) Bermuda Hundred and City-Point,

Collectors naval officers and ſurveyors to give bond.

Alexandria, Wilmington, Newbern and Edenton, in the ſtate of North-Carolina, Newport and Providence in the ſtate of Rhode-Iſland and Providence Plantations, ten thouſand dollars, each; the collectors of Newbury Port, Gloucester, Marblehead, Plymouth, Nantucket, Portland and Falmouth, New-London, New-Haven, Fairfield, Perth Amboy, York-town, Dumfries, Waſhington, Cambden, George Town (South-Carolina) Beaufort and Savannah, five thouſand dollars, each; the collectors of Hudſon, Middletown and Waldoborough, four thouſand dollars, each; and all the other collectors in the ſum of two thouſand dollars, each; the naval officers of the ports of Boſton and Charleſtown, New-York, Philadelphia, Baltimore, Charleſton, ten thouſand dollars, each; and all other naval officers, in the ſum of two thouſand dollars, each; the ſurveyors of the ports of Boſton and Charleſtown, New-York, Philadelphia, Baltimore and Charleſton, five thouſand dollars, each; and all the other ſurveyors, in the ſum of one thouſand dollars each:—Which bonds ſhall be filed in the office of the ſaid Comptroller, and be, by him, ſeverally, put in ſuit for the benefit of the United States, upon any breach of the condition thereof.

And all bonds to be hereafter given, ſhall be of the form following; to wit—

Form of the bond.

Know all men by theſe preſents, that we are held and firmly bound unto the United States of America, in the full and juſt ſum of dollars, money of the United States; to which payment, well and truly to be made, we bind ourſelves, jointly and ſeverally, our joint and ſeveral heirs executors and adminiſtrators, firmly by theſe preſents, ſealed with our ſeals, and dated this day of one thouſand

The condition of the foregoing obligation is such, that, whereas the President of the United States hath, pursuant to law, appointed the said to the office of in the state of Now therefore if the said has truly and faithfully executed and discharged, and shall continue truly and faithfully to execute and discharge all the duties of the said office, according to law; then the above obligation to be void and of none effect, otherwise it shall abide and remain in full force and virtue.

Sealed and delivered }
in the presence of }

Provided, That in cases where bonds have been already given, according to the directions aforesaid, new bonds shall not be required.

Fees of the collectors, naval officers and surveyors.

Sec. 2. *And be it further enacted*, That from and after the last day of March next, and in lieu of the fees and emoluments heretofore established, there shall be allowed and paid for the use of the collectors, naval officers, and surveyors appointed and to be appointed in pursuance of law, the fees following; that is to say, to each collector for every entrance of any ship or vessel of one hundred tons burthen and upwards, two dollars and an half; for every clearance of any ship or vessel of one hundred tons burthen and upwards, two dollars and an half; for every entrance of any ship or vessel under the burthen of one hundred tons, one dollar and an half; for every clearance of any ship or vessel under one hundred tons burthen, one dollar and an half; for every post entry two dollars; for every permit to land goods, twenty cents; for every bond taken officially, forty cents; for every permit to load goods for exportation, which are entitled to drawback, thirty cents; for every debenture or other official certificate, twenty cents; for every bill of health twenty cents; for every official document, (re-

Fees to the collectors, naval officers and surveyors.

giſters excepted) required by any merchant, owner or maſter of any ſhip or veſſel not before enumerated, twenty cents; and where a naval officer is appointed to the ſame port, the ſaid fees ſhall be equally divided between the collector and the ſaid naval officer, the latter paying one third of the expenſe of the neceſſary ſtationery, and of the rent of an office to be provided by the collector, at the place aſſigned for his reſidence, and as conveniently as may be for the trade of the diſtrict,—except the expenſe of fuel, office rent, and neceſſary ſtationery for the collectors of the diſtricts of Salem and Beverly, Boſton and Charleſtown, the cities of New-York, Philadelphia and Charleſton, the towns of Baltimore, Norfolk, and Portſmouth, which ſhall be paid three fourths by the ſaid collectors, and the other fourth by the reſpective naval officers in thoſe diſtricts; and all fees ſhall at the option of the collector, be either received by him or by the naval officer, the party receiving to account monthly with the other for his proportion or ſhare thereof: *Provided*, That all fees, ariſing on the exportation of any goods, wares or merchandiſe on which drawbacks are allowed, ſhall be equally ſhared among the collector, naval officer and ſurveyor, where there are ſuch officers at the port where the fees are paid, to be accounted for monthly, by the collector or naval officer who ſhall receive the ſame; and where there is no naval officer, ſuch fees ſhall be divided equally between the collector and the ſurveyor, who may have been concerned in attending to ſuch exportation, and the ſurveyors ſhall pay their proportion of the expenſes of ſtationery and printing. To each ſurveyor, for the admeaſurement, and certifying the ſame, of every ſhip or veſſel of one hundred tons and under, one cent per ton; for the admeaſurement of every ſhip or veſſel above one hundred

tons, and not exceeding two hundred tons one hundred and fifty cents; for the admeaſurement of every ſhip or veſſel above two hundred tons, two hundred cents; for all other ſervices by this act to be performed by ſuch ſurveyor, on board any ſhip or veſſel of one hundred tons or upwards, having on board goods, wares or merchandiſe ſubject to duty, three dollars; for the like ſervices on board any ſhip or veſſel of leſs than one hundred tons burthen, having on board goods, wares or merchandiſe ſubject to duty, one and an half dollar; on all veſſels not having on board goods, wares or merchandiſe ſubject to duty, two thirds of a dollar. All which fees ſhall be paid by the maſter or owner of the ſhip or veſſel in which the ſaid ſervices ſhall be performed, to the ſurveyor by whom they ſhall be performed, if performed by one only, for his ſole benefit,—but if performed by more than one, to him who ſhall have the firſt agency, to be divided in equal parts between him and the other or others by whom the ſaid ſervices ſhall alſo be performed. To each inſpector there ſhall be a lowed, for every day he ſhall be actually employed in aid of the cuſt ms, a ſum not exceeding two dollars; and for every other perſon that the collector may find it neceſſary and expedient to employ, as occaſional inſpectors, or in any other way in aid of the revenue, a like ſum, whilſt actually ſo employed, not exceeding two dollars for every day ſo employed, to be paid by the collector, out of the revenue, and charged to the United States; *Provided*, That the ſervices performed by occaſional inſpectors, ſhall be particularly detailed in the accounts to be tranſmitted to the Treaſury, and certified as to the neceſſity as well as performance of ſuch ſervices, by the naval officer or ſurveyor of the diſtrict, if any ſuch officers there are; To the meaſurers, weighers or gaugers,

Compenſation to inſpectors.

Compenſation to the meaſurers, weighers and gaugers.

reſpectively, to be paid monthly by the collector out of the revenue, and charged to the United States, for the meaſurement of every one hundred buſhels of grain, thirty cents; for the meaſurement of every one hundred buſhels of ſalt, according to the weight eſtabliſhed by law for the payment of duties thereon, fifty cents; for the meaſurement of every one hundred buſhels of coal ſixty cents; for the weighing of every one hundred and twelve pounds, and marking every caſk, box or package, weighing more than two hundred pounds each, except ſugar, coffee, pepper, pimento and indigo, in bales, bags, mats, canniſters or ſeroons, with the weight in durable characters, in the diſtricts of Pennſylvania, New-York, Boſton and Chaleſtown, and Baltimore, one cent and a quarter; in the diſtrict of Norfolk, one cent and an half; and in the other diſtricts, two cents; for the gauging and marking every caſk, to be marked in durable characters, with his own name, and the quantity, eight cents: for computing the contents of and marking caſes containing diſtilled ſpirits and wines, three cents per caſe; for actually counting the number of bottles of cider, beer, ale, perry, or porter, contained in any caſk or other package or packages, one cent per dozen; and in proportion for any greater or leſſer quantity; and the allowances aforeſaid ſhall be deemed to include a compenſation for making returns of the goods or merchandiſe weighing, gauged and meaſured, ſpecifying the quality as well as quantity; and there

Fees to the ſurveyors or inſpectors of the revenue for ports.

ſhall be allowed to the ſurveyors or inſpectors of the revenue for ports, the ſum of one cent and one half for every certificate to accompany foreign diſtilled ſpirits, and two cents and one half for every certificate to accompany wines and teas, iſſued within their ports reſpectively; and to the deputies of the inſpectors aforeſaid,

the ſum of two cents and one half for every caſk, or package, of foreign diſtilled ſpirits, wines or teas, by them marked and returned to their reſpective principals, and for gauging wines, whereon the duties are payable according to the value thereof ſix cents for every caſk actually gauged. There ſhall moreover be allowed to the ſeveral officers hereafter mentioned, the following allowances and per centage: To the collectors of the diſtrict of New-York, one quarter per cent; to the collector of the diſtrict of Boſton and Charleſtown, and to the collector of the diſtricts of Baltimore and Philadelphia one-half per cent; to the collectors of the diſtrict of Charleſton, Salem and Norfolk, ſeven-eighths of one per cent; to the collectors of the diſtricts of Alexandria and Savannah, one per cent; to the collectors of the diſtrict of Newburyport, one and one-quarter per cent; to the collectors of the diſtricts of Portſmouth, Portland, Newport, Providence, and New-Haven, one and one-half per cent; to the collectors of the diſtricts of Georgetown, (in Maryland) and Marblehead, two and one-half per cent; to the collectors of the diſtricts of New-London, Biddeford, Bath, and Wiſcaſſet, two per cent; and to the collectors of all other diſtricts, three per cent; on all monies by them reſpectively received, on account of the duties ariſing on goods, wares and merchandiſe imported into the United States, and on the tonnage of ſhips and veſſels. And in addition to the allowances above mentioned, there ſhall be allowed and paid annually, the ſums following, to wit:—To the collectors of St. Mary's, Paſſamaquoddy, Vermont, Champlin, and to the collectors of the ſeveral diſtricts comprizing the northern and weſtern boundaries of the United States, and the river Ohio, two hundred and fifty dollars each; to the ſurveyors

Additional compenſation to certain collectors and ſurveyors.

Additional compensation to certain collectors and surveyors:

in the several districts comprising the northern and western boundaries of the United States, and the river Ohio, two hundred dollars each; to the surveyor of Shell Castle or Beacon Island, one thousand dollars: To each of the collectors of the districts of Wilmington in Delaware, Annapolis, Havre-de-Grace, Chester, in Maryland, Glouceſter, South Quay, Yeocomico, Tappahannock, Newbern, Edenton, Camden, Wilmington (North-Carolina) Nanjemoy, Ipſwich, York, Waſhington and Bermuda Hundred, the ſum of two hundred and fifty dollars; to each of the collectors of the diſtricts of Oxford, Vienna, Sagg-Harbour, Nottingham, Hampton, Yorktown, Dumpharies, Foley Landing, Cherry-ſtone, Beaufort, Brunſwick and Hardwich, the ſum of two hundred dollars: To each of the collectors of the diſtricts of Perth-Amboy, Portſmouth, Hudſon, Plymouth, Barnſtable, Nantucket, Edgartown, New-Bedford, Dighton, Penobſcot, Frenchman's Bay, Machias (New Port) Middletown, Fairfield, Burlington, Bridge-town, Great Egg-Harbour, Little Egg-Harbour, Snow-hill, Georgetown (in South-Carolina) Sunbury, Marblehead, New-Haven and Georgetown (in Maryland the ſum of one hundred and fifty dollars; to each of the collectors of Biddeford, Bath and Wiſcaſſet, one hundred dollars; to the naval officer of the diſtrict of Portſmouth, two hundred dollars; to

To certain naval officers and surveyors.

each of the naval officers of the diſtricts of Newburyport, Salem, Newport, Providence, Wilmington (in North-Carolina) and Savannah, the ſum of one hundred and fifty dollars; to each of the ſurveyors of Salem, Portſmouth, Newburyport, Glouceſter, Briſtol, Warren, East Greenwich, North-Kingſton, Saint Mary's, Suffolk, Smithfield, Richmond, Peterſburgh, Frederickſburgh, Wilmington, Beaufort and Swanborough, the ſum of two hundred and fifty dol

lars; to each of the ſurveyors of Newport, Providence, Thomaſtown, Beverly, New-Haven, Middletown, Hartford, Saybrook, Albany, Hudſon, Lewellenſburgh, Portland, Pawkatuck, Paſquet, New-London, Stonington, Town-creek, Bermuda Hundred, Weſt-Point, Urbanna, Port Royal, Alexandria, Windſor, Hartford, Plymouth, Skewarky, Murfreeſborough, Bennet's Creek, Winton, Nixonton, Newbiggen-creek, Paſquotank river, Indian town, Currituck-Inlet, Savannah, and New-Brunſwick (in New-Jerſey) the ſum of one hundred and fifty dollars; to each of the ſurveyors of ſuch ports of delivery as may be hereafter eſtabliſhed by the Preſident of the United States, and for whom other annual compenſations are not hereby provided, a ſum not exceeding two hundred and fifty dollars: And it ſhall be the duty of the reſpective collectors, naval officers and ſurveyors, to keep accurate accounts of all fees and official emoluments received by them, alſo, of all expenditures, particularizing their expenditures for rent, fuel, ſtationery and clerk-hire, and to tranſmit annually, within forty days after the laſt day of December, an account, as aforeſaid, verified on oath or affirmation, to the Comptroller of the Treaſury, who ſhall, annually, lay an abſtract of the ſame before Congreſs; and if any collector, naval officer, or ſurveyor, ſhall omit or neglect to keep an account, as aforeſaid, or to tranſmit the ſame, verified as aforeſaid, he ſhall forfeit and pay a ſum not exceeding five hundred dollars, for the uſe of the United States.

Collectors &c. to keep accounts of their emoluments & expenditures, and tranſmit them to the Comptroller.

Sec. 3. *And be it further enacted*, That the compenſations of the commiſſioned officers of the revenue cutters, ſhall be as follows, to wit: to a captain, or maſter, fifty dollars per month and the ſubſiſtence of a captain in the army of the United States; to a firſt lieutenant or mate,

Compenſation and ſubſiſtence of the officers of revenue cutters.

thirty-five dollars per month; to a ſecond lieutenant or mate, thirty dollars per month; to a third lieutenant or mate, twenty-five dollars per month, and to every lieutenant or mate, the ſubſiſtence of a lieutenant in the army of the United States; and the pay of the non-commiſſioned officers, gunners and mariners employed in the ſaid cutters, ſhall from time to time be eſtabliſhed and varied by the Preſident of the United States, not exceeding twenty dollars per month, with ſuch rations as are or ſhall be allowed in the naval ſervice of the United States.

Pay and rations of the crew.

Sec. 4. *And be it further enacted*, That whenever a collector ſhall die or reſign, the commiſſions to which he would have been entitled, on the receipt of all duties bonded by him, ſhall be equally divided between the collector reſigning, or the legal repreſentative of ſuch deceaſed collector, and his ſucceſſor in office, whoſe duty it ſhall be to collect the ſame, and for this purpoſe all the public or official books, papers and accounts of the collector reſigning or deceaſed, ſhall be delivered over to ſuch ſucceſſor.

If a collector die or reſign, how certain fees are to be diſtributed.

JONATHAN DAYTON, *Speaker of the House of Representatives*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXX.

An Act for the government of the Navy of the United States.

Sec. 1. BE *it enacted by the Senate and House of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the following rules and regulations be adopted and put in force, for the government of the navy of the United States.

Article 1. The commanders of all ſhips and veſſels, belonging to the United States, a

Duty of commanders.

ſtrictly required to ſhew in themſelves a good example of honor and virtue to their officers and men, and to be very vigilant in inſpecting the behaviour of all ſuch as are under them, and to diſcountenance and ſuppreſs all diſſolute, immoral, and diſorderly practices, and alſo ſuch as are contrary to the rules of diſcipline and obedience, and to correct thoſe who are guilty of the ſame, according to the uſage of the ſea ſervice.

Divine ſervice.

2. The commanders of the ſhips of the United States, having on board chaplains, are to take care, that divine ſervice be performed twice a day, and a ſermon preached on Sundays, unleſs bad weather, or other extraordinary accidents prevent.

Swearing and drunkenneſs.

3. Any perſon who ſhall be guilty of profane ſwearing, or of drunkenneſs, if a ſeaman or marine, ſhall be put in irons until ſober, and then flogged if the captain ſhall think proper—but if an officer, he ſhall forfeit two days pay, or incur ſuch puniſhment as a court martial ſhall impoſe, and as the nature and degree of the offence ſhall deſerve.

Commanders not to inflict a greater puniſhment than twelve laſhes:—

4. No commander, for any one offence, ſhall inflict any puniſhment upon a ſeaman or marine beyond twelve laſhes upon his bare back with a cat of nine tails, and no other cat ſhall be made uſe of on board any ſhip of war, or other veſſel belonging to the United States—if the fault ſhall deſerve a greater puniſhment, he is to apply to the Secretary of the Navy, the commander in chief of the navy, or the commander of a ſquadron, in order to the trying of him by a court martial; and in the mean time he may put him under confinement.

Nor to diſcharge commiſſion or warrant officers, &c.

5. The commander is never by his own authority to diſcharge a commiſſion or warrant officer, nor to puniſh or ſtrike him, but he may ſuſpend or confine him, and ſhall report the caſe

to the Secretary of the Navy, or commandant of a ſquadron, as ſoon as he arrives in port, if at ſea, or if in port in ten days, in order that a court martial may decide on the offence.

Officer occaſionally commanding not to order puniſhment.

6. The officer who commands by accident in the captain or commander's abſence (unleſs he be abſent for a time by leave) ſhall not order any correction but confinement, and upon the captain's return on board, he ſhall then give an account of his reaſons for ſo doing.

Articles of war to be hung up and read.

7. The captain is to cauſe the articles of war to be hung up in ſome public place of the ſhip, and read to the ſhip's company once a month.

Seamen to be entered on the ſhips books.

8. Whenever a captain ſhall enter or inliſt a ſeaman, he ſhall take care to enter on his books, the time and term of his entering, in order to his being juſtly paid.

Return of officers & men to be made, &c.

9. The captain ſhall, before he ſails, make return to the Secretary of the Navy a complete liſt of all his officers and men, with the time and terms of their entering, and during his cruiſe or ſtation, ſhall keep a true account of the deſertion or death of any of them, and of the entering of others, and after the expiration of the time for which they were entered, and before any of them are paid off, he ſhall make return of a complete liſt of the ſame, including thoſe who ſhall remain on board his ſhip.

Men to be furniſhed with ſlops.

10. The men ſhall, at their requeſt, be furniſhed with ſlops that are neceſſary, by order of the captain, and the amount delivered to each man, ſhall be regularly returned by the purſer, ſo that the ſame be ſtopt out of his pay.

Who are petty officers.

11. All officers not having commiſſions or warrants, (or appointed commiſſion or warrant officers for the time being) are termed petty, or inferior officers.

Petty officers and ſeamen

12. Whenever any inferior officer, ſeaman, or other perſon, be turned over into the ſhip of a commander other than the one with whom

he entered, he is not to be rated on the ſhip's books, in a worſe quality, or lower degree or ſtation, than he ſerved in the ſhip he was removed from; and for the guide of the captain, he is to demand from the commander of the ſhip from which ſuch perſon or perſons were turned over, a liſt, under his hand, of his or their names, and the quality in which he or they ſerved. turned over into another ſhip, not to be rated lower, &c.

13. Any officer, ſeaman or other perſon, entitled to wages or prize money, may have the ſame paid to his aſſignee, provided the aſſignment be atteſted by the captain and the purſer; but the captain or commander of every veſſel in the ſervice of the United States; is to diſcourage his crew from ſelling any part of their wages or prize money, and never to atteſt the letter of attorney until he is ſatisfied that the ſame is not granted in conſideration of money given for the purchaſe of wages, or ſhares of prize money. Wages and prize money may be paid to aſſignees.

14. When any officer or other perſon dies, the captain is forthwith to have his name entered on the books of the ſhip, in order to the wages being forthwith paid to his executors or adminiſtrators. In caſe of death the name to be entered on the books.

15. A convenient place ſhall be ſet apart for the ſick or hurt men, to which they are to be removed with their hammocks and bedding, when the ſurgeon ſhall adviſe the ſame to be neceſſary, and ſome of the crew ſhall be appointed to attend them, and keep the place clean;—cradles and buckets with covers, ſhall be made for their uſe, if neceſſary. Treatment of ſick and hurt men.

16. All ſhips furniſhed with fiſhing tackle, being in ſuch places where fiſh is to be had, the captain is to employ ſome of the company in fiſhing:—The fiſh to be daily diſtributed to ſuch perſons as are ſick, or upon recovery, provided the ſurgeon recommend it, and the ſurplus, by orns, amongſt the meſſes of the officers and Fiſhing.

ſeamen, gratis, without any deduction of their allowance of proviſions on that account.

In caſe of exigence, allowance of proviſions may be ſhortened.

17. It is left to the diſcretion of commanders of ſquadrons, to ſhorten the allowance of proviſions according to the exigence of the ſervice, taking care that the men be punctually paid for the ſame—the like power is given to captains of ſhips acting ſingly, where it is deemed neceſſary, and if there ſhould be a want of pork, the captain is to order three pounds of beef to be iſſued in lieu of two pounds of pork.

Warrant for ſupply of proviſions.

18. If any ſhips of the United States ſhall happen to come into port in want of proviſions, the warrant of the commander of the ſquadron, or of a captain where there is no commander of a ſquadron preſent, ſhall be ſufficient to procure the ſupply of the quantity wanted, from the agent, or navy agent at ſuch port.

Proviſions to be inſpected.

19. The captains are frequently to cauſe to be inſpected the condition of the proviſion, and if the bread proves damp, to have it aired upon the quarter deck, and other convenient places, and in caſe of the pickle being leaked out of the fleſh caſks, he is to have new pickle made and put therein, after ſuch caſks are repaired.

Cloaths, &c. of deceaſed to be ſecured.

20. The captain ſhall cauſe the purſer to ſecure the cloaths, bedding and other things, of ſuch perſons as ſhall die or be killed, to be delivered to their executors or adminiſtrators.

Papers found on board of captured veſſels to be preſerved.

21. All papers, charter-parties, bills of lading, paſſports, and other writings whatſoever, found on board any ſhip or ſhips which ſhall be taken, ſhall be carefully preſerved and the originals ſent to the court of juſtice for maratime affairs, appointed or to be appointed for judging concerning ſuch prize or prizes, and if any perſon or perſons ſhall willfully or negligently deſtroy or ſuffer to be deſtroyed any ſuch paper or papers, he or they ſo offending ſhall forfeit his or their ſhare of ſuch prize or prizes, and ſuffer ſuch

other puniſhment as they ſhall be judged by a court martial to deſerve; and if any perſon or perſons ſhall embezzle or ſteal, or take away any cables, anchors, ſails or any of the ſhips furniture, or any of the powder, arms, ammunition, or proviſions of any ſhip belonging to the United States, or of any prize taken by a ſhip or ſhips, aforeſaid, or maltreat or ſteal the effects of any priſoner, he or they ſo offending ſhall ſuffer ſuch puniſhment as a court martial ſhall order. Penalty on ſtealing certain things.

22. When in ſight of any ſhip, ſhips or other veſſels of the enemy, or at ſuch other times as may appear neceſſary to prepare for an engagement, the captain ſhall order all things in his ſhip in a proper poſture for fight, and ſhall, in his own perſon, and according to his duty, heart on and encourage the inferior officers and men to fight courageouſly, and not to behave themſelves faintly or cry for quarters, on pain of ſuch puniſhment as the offence ſhall appear to deſerve for his neglect. Preparation for fight.

23. Any captain, officer or other perſon who ſhall not exert himſelf, or who ſhall baſely deſert his duty or ſtation in the ſhip, and run away while the enemy is in ſight, or in time of action, or ſhall entice others to do ſo, ſhall ſuffer death, or ſuch other puniſhment as a court martial ſhall inflict. Cowardice.

24. Any officer, ſeaman, mariner or other perſon who ſhall diſobey the orders of his ſuperior, or begin, excite, cauſe or join in any mutiny or ſedition in the ſhip to which he belongs, or in any other ſhip or veſſel in the ſervice of the United States, on any pretence whatſoever, ſhall ſuffer death, or ſuch other puniſhment as a court martial ſhall direct—and further, any perſon in any ſhip or veſſel belonging to the ſervice aforeſaid, who ſhall utter any words of ſedition and mutiny, or endeavour to make any mutinous Mutiny and ſedition.

aſſembly on any pretence whatſoever, ſhall ſuffer ſuch puniſhment as a court martial ſhall inflict.

Quarreling with or ſtriking a ſuperior officer.

25. None ſhall preſume to quarrel with or ſtrike his ſuperior officer on pain of ſuch puniſhment as a court martial ſhall order to be inflicted.

To whom complaints ſhall be made known.

26. If any perſon ſhall apprehend he has juſt cauſe of complaint, he ſhall quietly and decently make the ſame known to his ſuperior officer, or to the captain, as the caſe may require, who ſhall take care that juſtice be done him.

Quarreling and fighting, &c.

27. There ſhall be no quarreling or fighting between ſhip mates on board any ſhip belonging to the United States, nor ſhall there be uſed any reproachful or provoking ſpeeches, tending to make quarrels and diſturbances, on pain of impriſonment, or of ſuch puniſhment as the captain, or a court martial ſhall judge proper to inflict.

Neglect of duty.

28. If any perſon ſhall ſleep upon his watch, or negligently perform the duty which ſhall be enjoined him to do, he ſhall ſuffer ſuch puniſhment as the captain, or a court martial ſhall inflict.

Murder.

29. All murder ſhall be puniſhed with death.

Robbery and theft.

30. All robbery and theft, not exceeding twenty dollars, ſhall be puniſhed at the diſcretion of the captain, and above that ſum as a court martial ſhall inflict.

Maſter of arms miſbehaving.

31. Any maſter of arms, or other perſon of whom the like duty may be required, refuſing to receive ſuch priſoner or priſoners, as ſhall be committed to his charge, or having received them ſhall ſuffer him or them to eſcape, or diſmiſs them without orders from his captain, the commander in chief of the navy or the commander of a ſquadron, for ſo doing, ſhall ſuffer in his or their ſtead as a court martial ſhall order and direct.

Duty of detecting and apprehending offenders.

32. The captains, officers and others ſhall uſe their utmoſt endeavours to detect, apprehend, and bring to puniſhment all offenders, and ſhall at all times readily aſſiſt all officers and others appointed for that purpoſe, in the diſcharge of ſuch duty, when it is required, on pain of being proceeded againſt and puniſhed by a court martial at diſcretion.

Correſpondence with enemies or rebels.

33. If any officer whatſoever, mariner, marine ſoldier, or other perſon, belonging to any ſhip or veſſel of war in the ſervice of the United States, ſhall give, hold or entertain intelligence, to or with any enemy or rebel, without leave from the government, commander in chief, or in caſe of a ſingle ſhip, from his captain, every ſuch perſon ſo offending, and being thereof convicted by the ſentence of a court martial, ſhall be puniſhed with death.

Letters or meſſages from enemies or rebels to be made known.

34. If any letter or meſſage from an enemy or a rebel be conveyed to any officer, mariner, marine or other perſon, belonging to any ſhip or veſſel in the ſervice of the United States, and the perſon as aforeſaid ſhall not within twelve hours, having opportunity ſo to do, acquaint his ſuperior or commander in chief with it; or any ſuperior officer being acquainted therewith, ſhall not in convenient time reveal the ſame to the commander in chief, commander of a ſquadron or other proper officer, appointed to take cognizance of ſuch offence, every ſuch perſon ſo offending, and being convicted thereof, by the ſentence of a court martial ſhall be puniſhed with death, or ſuch other puniſhment as the nature and degree of the offence ſhall deſerve, and according to the ſentence of a court martial.

Spies.

35. All ſpies, and all perſons whatſoever who ſhall come or be found in the nature of ſpies, or bring or deliver any ſeducing letter or meſſage from an enemy or rebel, or endeavour to

corrupt any captain, officer, mariner, marine or other perſon in the fleet, to betray his truſt, being convicted of any ſuch offence by the ſentence of a court martial, ſhall be puniſhed with death, or ſuch other puniſhment as the nature and degree of the offence ſhall deſerve, and the court martial ſhall impoſe.

Supplying enemies or rebels.

36. No perſon in a fleet, or in a ſingle ſhip or veſſel, ſhall ſupply an enemy or rebel with ſtores, money, victuals, arms, ammunition, or any kind of ſtores, directly or indirectly, upon pain of death, or ſuch other puniſhment as a court martial ſhall think fit to impoſe, and as the nature and degree of the crime ſhall deſerve.

Running away to the enemy, &c. or yielding cowardly, &c.

37. Every perſon in or belonging to any ſhip or veſſel in the ſervice of the United States, who ſhall deſert or run away with any veſſel or boat, to the enemy or otherwiſe, or with any effects of the United States, whatſoever, or yield up the ſame cowardly or treacherouſly, ſhall ſuffer death, or ſuch other puniſhment as a court martial ſhall inflict.

Duty as to convoy.

38. The officers and ſeamen, &c. of all ſhips appointed for convoy and guard of merchantmen, ſhall diligently attend upon that charge without delay, according to their inſtructions, and whoſoever ſhall be faulty therein, ſhall be puniſhed as a court martial ſhall direct.

Penalty on receiving merchandiſe on board.

39. If any captain, commander or other officer of any ſhip or veſſel in the ſervice of the United States, ſhall receive or permit on board his veſſel any goods or merchandiſe, other than for the ſole uſe of his veſſel, except gold, ſilver or jewels, and except the goods and merchandiſe of veſſels which may be in diſtreſs or ſhipwrecked, or in imminent danger of being ſhipwrecked, in order to preſerve them for the proper owner, without legal orders from the navy department, every perſon ſo offending being convicted thereof, by the ſentence of a court

martial, ſhall be caſhiered, and be forever afterwards rendered incapable to ſerve in any place or office in the navy ſervice of the United States.

Waſte and embezzlement of ſtores.

40. There ſhall be no waſteful expenſe of any powder, ſhot, ammunition, or other ſtores in the veſſels belonging to the United States, nor any embezzlement thereof, but the ſtores and proviſions ſhall be carefully preſerved, upon pain of ſuch puniſhment, to be inflicted upon the offenders, abettors, buyers and receivers, as ſhall be by a court martial found juſt in that behalf.

Unlawfully ſetting fire to public property.

41. Every perſon in the navy who ſhall unlawfully burn or ſet fire to any kind of public property, not then appertaining to an enemy, pirate or rebel, being convicted of any ſuch offence by the ſentence of a court martial, ſhall ſuffer death.

Care to be uſed in navigating.

42. Care ſhall be taken in ſteering and conducting every ſhip belonging to the United States, ſo that through wilfulneſs, negligence, or other defaults, no ſhip be ſtranded or hazarded, upon pain that ſuch as ſhall be found guilty therein, be puniſhed as the offence, by a court martial, ſhall be judged to deſerve.

Making a falſe muſter.

43. Every officer or other perſon in the navy, who ſhall knowingly make or ſign a falſe muſter, or procure the making or ſigning thereof, or ſhall aid or abet in the ſame, ſhall be caſhiered and rendered incapable of further employment in the navy ſervice of the United States, and ſhall forfeit all the pay and ſubſiſtence money due to him.

Mutiny, deſertion and diſobedience on ſhore.

44. Every perſon guilty of mutiny, deſertion or diſobedience to his ſuperior officer on ſhore, acting in the proper line of his duty, ſhall be tried by a court martial, and ſuffer the like puniſhment for every ſuch offence, as if the ſame had been committed at ſea, on board any

ſhip or veſſel of war in the ſervice of the United States.

Offences on ſhore againſt the inhabitants.

45. If any perſon belonging to any ſhip or veſſel of war in the ſervice of the United States, ſhall, when on ſhore, on duty, or otherwiſe, plunder, abuſe, or maltreat any inhabitant, or injure his property in any way, ſuch perſon ſhall be puniſhed as a court martial ſhall direct.

Puniſhment of miſdemeanors not ſpecified.

46. All faults, diſorders and miſdemeanors which ſhall be committed on board any ſhip belonging to the United States, and which are not herein mentioned, ſhall be puniſhed according to the laws and cuſtoms in ſuch caſes at ſea.

How a court martial ſhall be compoſed.

47. No court martial, to be held or appointed by virtue of this act, ſhall conſiſt of more that thirteen, nor leſs than five perſons, to be compoſed of ſuch commanders of ſquadrons, captains and ſea lieutenants, as are then and there preſent, and as are next in ſeniority to the officer who preſides; but no lieutenant ſhall ſet on a court martial, held on a captain, or a junior lieutenant on that of a ſenior.

Oaths of the court martial,

48. Every member of a court martial ſhall take the following oath: "I, A. B. do ſwear that I will well and truly try and impartially determine the cauſe of the priſoner now to be tried, according to the rules of the navy of the United States—So help me God." Which oath ſhall be adminiſtered by the preſident to the other members, and the preſident himſelf ſhall be ſworn by the officer next in rank; and as ſoon as the above oath ſhall have been adminiſtered, the preſident of the court is required to adminiſter to the judge advocate, or perſon officiating as ſuch, an oath in the following words: "I, A. B. do ſwear, that I will not upon any account, at any time whatſoever, diſcloſe or diſcover the vote or opinion of any particular member of this court martial, unleſs thereto required by an act of Congreſs—So he-

Judge advocate,

me God." And all the witneſſes, before they be admitted to give evidence, ſhall take the following oath:—"I, A. B. do ſwear, that the evidence I ſhall give in the cauſe now in hearing, ſhall be the truth, the whole truth, and nothing but the truth—So help me God." and witneſſes.

49. The ſentence of a court martial for any capital offence ſhall not be put in execution, until it be confirmed by the commander in chief of the fleet. And it ſhall be the duty of the preſident of every court martial, to tranſmit to the commander in chief of the fleet, and to the head of the Navy Department, every ſentence which ſhall be given, with a ſummary of the evidence and proceedings thereon, as ſoon as may be. Sentences of courts martial in capital caſes to be confirmed, &c.

50. The commander in chief of the fleet, for the time being, ſhall have power to pardon and remit any ſentence of death, in conſequence of any of the aforementioned articles. Commander in chief may remit ſentences of death.

Sec. 2. *And it is hereby further enacted*, That if any perſon in the navy ſervice, being called upon to give evidence at any court martial, ſhall refuſe to give his evidence upon oath, or ſhall prevaricate in his evidence, or behave with contempt to the court, it ſhall and may be lawful for ſuch court martial to puniſh ſuch offender by impriſonment, at the diſcretion of the court; ſuch impriſonment, in no caſe, to continue longer than three months; and that all and every perſon and perſons, who ſhall commit any wilful perjury in any evidence or examination upon oath at ſuch court martial, or who ſhall corruptly procure or ſuborn any perſon to commit ſuch wilful perjury, ſhall and may be proſecuted in any of the courts of the United States, by indictment or information. And all and every perſon, lawfully convicted upon any ſuch indictment or information, ſhall be puniſhed with ſuch pains and penalties as are inflicted for the like offences by the laws therein provided. Miſbehaviour of witneſſes. Perjury & ſubornation thereof.

Authority of the officers to continue after the veſſel is loſt.

Sec. 3. *And it is hereby further enacted, by the authority aforeſaid,* That in all caſes where the crews of the ſhips or veſſels of the United States ſhall be ſeparated from their veſſels, by the latter being wrecked, loſt, or deſtroyed, all the command, power and authority given to the officers of ſuch ſhips or veſſels, ſhall remain and be in full force as effectually as if ſuch ſhip or veſſel was not ſo wrecked, loſt or deſtroyed, until they ſhall be regularly diſcharged from the ſervice of the United States, or removed into ſome other of its ſaid ſhips, or until a court martial ſhall be held, to enquire into ſuch loſs of the ſaid ſhip or veſſel; and if upon enquiry it ſhall appear by the ſentence of the court martial, that all or any of the officers, ſeamen, marines, and others of the ſaid ſhip or veſſel, did their utmoſt to preſerve, get off, or recover the ſaid ſhip or veſſel, and after the loſs thereof did behave themſelves obediently to their ſuperior officers, according to the diſcipline of the navy, and the ſaid articles and orders herein before eſtabliſhed, then all the pay and wages of the ſaid officers and ſeamen, or ſuch of them as ſhall have done their duty as aforeſaid, ſhall continue and go on, and be paid to the time of their diſcharge or death; and every ſuch officer or ſeaman, who after the wreck or loſs of his ſaid ſhip or veſſel, ſhall act contrary to the diſcipline of the navy, or the articles herein before eſtabliſhed, or any of them, ſhall be ſentenced by the ſaid court martial, and be puniſhed, as if the ſhip to which he did belong was not ſo wrecked or deſtroyed.

In ſuch caſe a court martial is to be held.

Priſoner's pay to go on.

Sec. 4. *And be it further enacted,* That all the pay and wages of ſuch officers and ſeamen of any of the ſhips of the United States as are taken by the enemy, and upon enquiry at a court martial, ſhall appear by the ſentence of the ſaid court, to have done their utmoſt to defend the

ſhip or ſhips, and ſince the taking thereof, to have behaved themſelves obediently to their ſuperior officers, according to the diſcipline of the navy, and the ſaid articles and orders, herein before eſtabliſhed, ſhall continue and go on as aforeſaid, until they be exchanged and diſcharged, or until they ſhall die, whichever may firſt happen: *Provided always*, That perſons flying from juſtice ſhall be tried and puniſhed for ſo doing.

To whom prizes ſhall belong.

Sec. 5. *And be it further enacted*, That all captured national ſhips or veſſels of war ſhall be the property of the United States—all other ſhips or veſſels, being of ſuperior force to the veſſel making the capture, in men or in guns, ſhall be the ſole property of the captors—and all ſhips or veſſels of inferior force ſhall be divided equally between the United States and the officers and men of the veſſel making the capture.

Diſtribution of prize-money and bounty.

Sec. 6. *And be it further enacted*, That the produce of prizes taken by the ſhips of the United States, and bounty for taking the ſhips of the enemy, be proportioned and diſtributed in the manner following, to wit:

1. To the captain actually on board at the time of taking any prize, being other than public or national veſſel, or ſhip of war, three-twentieths of that proportion of the proceeds belonging to the captors.

2. If ſuch captain or captains be under the immediate command of a commander in chief, or commander of a ſquadron, having a captain on board, ſuch commander in chief, or commander of a ſquadron, to have one of the ſaid twentieth parts, and the captain taking the prize, the other two-twentieth parts.

3. To the ſea lieutenants and ſailing-maſter, two-twentieths.

Diſtribution of prize-money and bounty.

4. To marine officers, the ſurgeon, purſer, boatſwain, gunner, carpenter, maſter's mate and chaplain, two-twentieths.

5. To midſhipmen, ſurgeon's mates, captain's clerk, clergyman or ſchoolmaſter, boatſwain's mates, gunner's mates, carpenter's mates, ſhip's ſteward, ſail maker, maſter at arms, armourer, and cockſwain, three-twentieths.

6. Gunner's yeoman, boatſwain's yeoman, quarter maſters, quarter gunners, cooper, ſail maker's mates, ſerjeant of marines, corporal of marines, drummer and fifer and extra petty officers, three-twentieths.

7. To ſeamen, ordinary ſeamen, marines and boys, ſeven-twentieths.

8. Any officer on board having more poſts than one, is only entitled to the ſhare belonging to his ſuperior office, according to the regulations aforeſaid.

9. Whenever one or more ſhips of the United States are in ſight, at the time of any one or more other ſhips as aforeſaid are taking a prize or prizes, or being engaged with an enemy, and they ſhall all be ſo in ſight, when the enemy ſhall ſtrike or ſurrender, they ſhall ſhare equally, according to the number of guns and men on board of each ſhip ſo in ſight—but no privateer or armed ſhip, being in ſight of a national ſhip of war, at the taking of any prize, ſhall be entitled to any ſhare in ſuch prize or prizes.

10. Commanders of ſhips of war taking any prize, are to tranſmit, as ſoon as poſſible, to the naval department, a true liſt of the officers and men actually on board at the taking of ſuch prize, inſerting therein the quality of every perſon's rating; and the department aforeſaid is to examine the ſaid liſt by the ſhip's muſter book, to ſee their agreement, and is to grant

certificates of the truth of ſuch liſt tranſmitted, in order that the agents appointed by the captors, make payment of the ſhares, agreeably to this act. Diſtribution of prize-money and bounty.

11. In order to define the rights and privileges of commanders in chief, commanders of ſquadrons and captains, in relation to captures—No commander in chief, or commander of a ſquadron, ſhall be entitled to receive any ſhare of prizes taken by the ſhips of war of the United States that are not put under his immediate command, nor of ſuch prizes as may have been taken previous to ſuch ſhip's being placed under his command, and until they have acted under his immediate orders; nor ſhall a commander in chief, or commander of a ſquadron, returning home from any ſtation where he had the command, have any ſhare in prizes taken by ſhips left on ſuch ſtation, after he has got out of the limits of his ſaid command.

12. Captains, ſailing eſpecially under orders from the navy department, are clearly to be underſtood as acting ſeparately from any ſuperior officer.

13. The bounty given by the United States on any national ſhip of war, taken from the enemy and brought into port, ſhall be for every cannon mounted, carrying a ball of twenty-four pounds, or upwards, two hundred dollars—For every cannon carrying a ball of eighteen pounds, one hundred and fifty dollars—for every cannon carrying a ball of twelve pounds, one hundred dollars—and for every cannon carrying a ball of nine pounds, ſeventy-five dollars—for every ſmaller cannon, fifty dollars—and for every officer and man taken on board, forty dollars; which ſums are to be divided agreeably to the foregoing articles.

Rates of salvage.

Sec. 7. *And be it further enacted*, That for the ſhips or goods belonging to the citizens of the United States, or to the citizens or ſubjects of any nation, in amity with the United States, if re-taken from the enemy within twenty-four hours, the owners are to allow one-eighth part of the whole value for ſalvage, if after twenty-four hours, and under forty-eight, one-fifth thereof, if above that and under ninety-ſix hours, one-third part thereof, and if above that, one-half, all of which is to be paid without any deduction whatſoever, agreeable to the articles herein before mentioned.

Allowance of half pay to perſons diſabled in the ſervice.

Sec. 8. *And be it further enacted*, That every officer, ſeaman or mariner diſabled in the line of his duty, ſhall be entitled to receive for his own life, and the life of his wife, if a married man, at the time of receiving the wound, one half his monthly pay.

Prize-money belonging to the public to be a fund to diſcharge the half pay, &c.

Sec. 9. *And be it further enacted*, That all the money accruing, or which has already accrued from the ſale of prizes, ſhall be and remain forever a fund for the payment of the half pay to the officers and ſeamen who may be entitled to receive the ſame; and if the ſaid fund ſhall be inſufficient for this purpoſe, the public faith is hereby pledged to make up the deficiency: But if it ſhould be more than ſufficient, the ſurplus ſhall be applied as Congreſs may hereafter direct by law, to the making of further proviſion for the comfort of the diſabled officers, ſeamen and mariners, and for ſuch as may not be diſabled, who may merit by their bravery, or their long and faithful ſervices, the gratitude of their country.

Management of the fund.

Sec. 10. *And be it further enacted*, That the ſaid fund ſhall be under the management and direction of the Secretary of the Navy, the Secretary of the Treaſury and the Secretary at War

for the time being, who are hereby authorized to receive all ſuch ſums as the United States may be entitled to, from the ſale of prizes, and to inveſt the ſame, and the intereſt ariſing therefrom, in ſuch of the ſix per cent or other ſtock of the United States, as a majority of them from time to time ſhall determine to be moſt advantageous; and it ſhall be the duty of the ſaid commiſſioners to lay before Congreſs, every year, in the firſt week for their annual meeting, a minute and correct ſtatement of their proceedings, in relation to the management of ſaid fund.

Private rules to conform with this act and the uſages of the ſea ſervice.

Sec. 11. *And be it further enacted*, That no rules or regulations made by any commander in chief, or captain, in the ſervice of the United States, for the ſtationing, deſignating of duty, and government of the fleet, or any of the crews of any ſhip of war, ſhall be at variance with this act, but ſhall be ſtrictly conformable thereto; and that every commander in chief and captain, in making private rules and regulations, and deſignating the duty of his officers, ſhall keep in view alſo the cuſtom and uſage of the ſea ſervice moſt common to our nation.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate, pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXXI.

An Act making appropriations for the ſupport of government for the year one thouſand ſeven hundred and ninety-nine.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, Congreſs aſſembled*, That for the expenditure of the civil liſt, including the contingent expenſes of the ſe-

Specific appropriations.

veral departments and officers; for defraying the compenſations of clerks in the ſeveral loan offices, and for books and ſtationery for the ſame; for the payment of annuities and grants; for the ſupport of the mint eſtabliſhment; for the ſupport of light-houſes, beacons, buoys and public piers; for the contingent expenſes of government; for eſtabliſhing and maintaining trading houſes with the Indians, and for ſatisfying certain miſcellaneous claims and expenſes, the following ſums be, reſpectively, appropriated; that is to ſay:

For the compenſations granted by law to the Preſident and Vice-Preſident of the United States, thirty thouſand dollars.

For the like compenſations to the members of the Senate and Houſe of Repreſentatives, their officers and attendants, eſtimated for a ſeſſion of ſix months continuance, one hundred and ninety thouſand one hundred and ſeventy-five dollars.

For the expenſe of fire wood, ſtationery, printing work, and all other contingent expenſes of the two Houſes of Congreſs, thirteen thouſand five hundred dollars.

For the compenſations granted by law to the chief juſtice, aſſociate judges, diſtrict judges, and attorney general, diſtrict attornies and marſhals, forty-seven thouſand three hundred dollars.

For defraying the expenſe of clerks of courts, jurors and witneſſes, in aid of the fund ariſing from fines, forfeitures and penalties; and likewiſe for defraying the expenſes of proſecution for offences againſt the United States, and for ſafe keeping of priſoners, thirty thouſand dollars.

For compenſation to the Secretary of the Treaſury, clerks and perſons employed in his office, eleven thouſand and fifty dollars.

For expenſe of ſtationery, printing, tranſlating of foreign languages, allowance to perſons employed in receiving and tranſmitting paſſports and ſea letters, in the office of the Secretary of the Treaſury, eight hundred dollars.

For compenſation to the Comptroller of the Treaſury, clerks and perſons employed in his office, twelve thouſand ſeven hundred dollars.

Specific appropriations.

For expenſe of ſtationery, printing, and all other contingent expenſes in the Comptroller's office, eight hundred dollars.

For compenſation to the Auditor of the Treaſury, clerks and perſons employed in his office, eleven thouſand nine hundred and fifty dollars.

For expenſe of ſtationery, printing, and all other contingent expenſes in the office of the Auditor, ſeven hundred and fifty dollars.

For compenſation to the Treaſurer, clerks and perſons employed in his office, five thouſand eight hundred and fifty dollars.

For expenſes of fire wood, ſtationery, printing, rent, and all other contingencies in the Treaſurer's office, ſix hundred dollars.

For compenſation to the Commiſſioner of the Revenue, clerks and perſons employed in his office, ſix thouſand one hundred and twenty-five dollars.

For expenſe of ſtationery, printing and all other contingent expenſes in the office of the Commiſſioner of the Revenue, four hundred dollars.

For compenſation to the Regiſter of the Treaſury, clerks and perſons employed in his office, ſixteen thouſand and twenty-five dollars.

For expenſe of ſtationery, printing, and all other contingent expenſes in the Regiſter's office (including books for the public ſtocks and for the arrangement of the marine papers) two thouſand eight hundred dollars.

For compenſation to the Purveyor of Public Supplies, two thouſand dollars; and five hundred dollars for a clerk.

For compenſation to the Secretary of the Commiſſioners of the Sinking Fund, two hundred and fifty dollars.

For the payment of rent for the ſeveral houſes employed in the Treaſury Department (except the Treaſurer's office,) two thouſand ſeven hundred and thirty dollars and ſixty-ſix cents.

For the expenſe of fire-wood and candles in the ſeveral offices of the Treaſury Department (except the Treaſurer's office) three thouſand five hundred dollars.

Specific appropriations.

For defraying the expenſe incident to the ſtating and printing the public accounts for the year one thouſand ſeven hundred and ninety-nine, (including an increaſe of two hundred dollars, in conſequence of an extenſion of the revenue and expenditures) one thouſand two hundred dollars.

For defraying the expenſe incident to the removal of the books and records of the Treaſury Department, from Philadelphia to Trenton, during part of the ſummer of the year one thouſand ſeven hundred and ninety-eight, including the extra expenſes of the ſeveral officers, clerks and meſſengers in each office, four thouſand four hundred dollars.

For compenſations to the ſeveral loan officers, thirteen thouſand two hundred and fifty dollars.

For the expenſe incident to the removal of the loan office of Pennſylvania, from Philadelphia, during part of the ſummer of the year one thouſand ſeven hundred and ninety-eight, including the extra expenſes of the clerks in the ſaid office, one hundred and ſeventy-eight dollars and ſeventy cents.

For compenſations to the clerks to the Commiſſioners of Loans, and an allowance to certain loan-officers in lieu of clerk-hire, and to defray the authorized expenſes of the ſeveral loan-officers, thirteen thouſand dollars.

For compenſation to the Secretary of State, clerks and perſons employed in that department, eleven thouſand three hundred dollars.

For incidental and contingent expenſes in the ſaid department, eight thouſand five hundred dollars.

For the expenſe incident to the removal of the Department of State from Philadelphia to Trenton, during part of the ſummer of the year one thouſand ſeven hundred and ninety-eight, including the extra expenſes of the Secretary for the department, the clerks and meſſengers therein, four hundred and forty-one dollars and thirty-five cents.

For compenſations to the following officers of the mint:—the Director, two thouſand dollars; the treaſurer, one thouſand two hundred dollars; the aſſayer, one thouſand five hundred dollars; the chief coiner, one thouſand five hundred dollars; the melter and refiner, one thouſand five hundred dollars; the engraver,

one thouſand two hundred dollars; one clerk, at ſeven hundred dollars; and two at five hundred dollars each, one thouſand dollars. Specific appropriations.

For the wages of perſons employed at the different branches of melting, refining, coining, carpenter's, mill-wright's, and ſmith's work, including the ſum of eight hundred dollars per annum, allowed to an aſſiſtant coiner and die forger, who alſo overſees the execution of the iron work, ſeven thouſand dollars.

For the purchaſe of ironmongery, lead, wood, coals, ſtationery, office furniture, and for all other contingencies of the eſtabliſhment of the mint, ſix thouſand three hundred dollars.

For compenſation to the Secretary of War, clerks and perſons employed in his office, eleven thouſand four hundred and fifty dollars.

For expenſe of fire-wood, ſtationery, printing, rent, and other contingent expenſes in the office of the Secretary of War, two thouſand dollars.

For compenſation to the Accountant of the War Department, clerks and perſons employed in his office, ten thouſand eight hundred and fifty dollars.

For contingent expenſes in the office of the Accountant of the War Department, one thouſand dollars.

For the expenſe incident to the removal of the War Department from Philadelphia to Trenton, during part of the ſummer of the year one thouſand ſeven hundred and ninety-eight, including the extra expenſes of the Secretary for the department, the Accountant, clerks and meſſengers in each office, three thouſand two hundred and twenty-two dollars and forty-three cents.

For compenſation to the Secretary of the Navy, clerks and perſons employed in his office, nine thouſand and fifty-five dollars.

For the expenſe of fire-wood, ſtationery, printing, rent, and all other contingencies in the office of the Secretary of the Navy, two thouſand eight hundred and fifty dollars.

For expenſe of removing the department of the Navy, from Philadelphia to Trenton, during part of the ſummer of the year one thouſand ſeven hundred

Specific appropriations.

and ninety-eight, including the extra expenſes of the clerks and meſſengers in the offices of the Secretary and Accountant for the department, four hundred and twenty-ſeven dollars and forty-eight cents.

For compenſation to the Accountant of the Navy, clerks and perſons employed in his office, nine thouſand two hundred and fifty dollars.

For contingent expenſes in the office of the Accountant of the Navy, ſeven hundred and fifty dollars.

For compenſation to the keeper of the navy ſtore, and his aſſiſtant; labourers employed in the ſtore, porterage, and ſtore rent, three thouſand eight hundred dollars.

For compenſation to the Surveyor-General, two thouſand dollars.

For compenſation to the aſſiſtant ſurveyors, chain carriers, axe-men, and other perſons employed, ſtationery, and other contingent expenſes in the Surveyor General's department (in addition to former appropriations) nine thouſand five hundred and nineteen dollars.

For compenſation to the governor, Secretary and judges of the territory north-weſt of the Ohio, five thouſand one hundred and fifty dollars.

For expenſes of ſtationery, printing patents for land, office rent and other contingent expenſes in the ſaid territory, three hundred and fifty dollars.

For compenſation to the governor of the Miſſiſippi territory, and for diſcharging the duties of ſuperintendant of Indian affairs, during part of the year one thouſand ſeven hundred and ninety-eight, one thouſand three hundred and two dollars and nineteen cents.

For compenſation to the ſecretary of the Miſſiſippi territory, and for diſcharging the duties of ſecretary during part of the year one thouſand ſeven hundred and ninety-eight, four hundred and eighty-eight dollars and thirty-three cents.

For compenſation to three judges of the Miſſiſippi territory, during part of the year one thouſand ſeven hundred and ninety-eight, one thouſand four hundred and forty-eight dollars and thirty-ſix cents.

For compenſation to the governor, ſecretary and judges of the Miſſiſippi territory, for the year one

thouſand ſeven hundred and ninety-nine, five thouſand one hundred and fifty dollars.

Specific appropriations.

For the expenſes of ſtationery, office rent, printing patents for land, and other contingent expenſes of the government of the Miſſiſippi territory (including eight months of the year one thouſand ſeven hundred and ninety-eight) five hundred and eighty-three dollars and thirty-three cents.

For the diſcharge of ſuch miſcellaneous demands againſt the United States, on account of the civil department, not otherwiſe provided for, as ſhall have been admitted in a due courſe of ſettlement at the Treaſury, and which are of a nature, according to the uſage thereof, to require payment in ſpecie, one thouſand dollars.

For the payment of ſundry penſions granted by the late government, nine hundred and fifty-three dollars and thirty-three cents.

For the annual allowance to the widow and orphan children of colonel John Harding, and to the orphan children of major Alexander Trueman, by the act of Congreſs of the twenty-ſeventh of February, one thouſand ſeven hundred and ninety-three, three hundred and ſeventy-five dollars.

For the maintenance and ſupport of light-houſes, beacons, buoys and public piers, and ſtakeage of channels, bars and ſhoals, and for occaſional improvement in the conſtruction of lanterns and lamps, and materials uſed in them, including an allowance for the encreaſed number of light-houſes, forty-four thouſand two hundred and eighty-one dollars and eight cents.

For defraying the contingent expenſes of the government (the amount of former appropriations unexpended being carried to the credit of the ſurplus fund) twenty thouſand dollars.

For the eſtabliſhment and maintenance of trading houſes with the Indians (the balance unexpended of the former appropriation being carried to the credit of the ſurplus fund) one hundred and ten thouſand dollars.

For the diſcharge of ſuch miſcellaneous demands againſt the United States, not otherwiſe provided for, as ſhall have been admitted, in a due courſe of ſettlement at the Treaſury, and which are of a nature, ac-

Specific appropriations.

cording to the uſage thereof, to require payment in ſpecie, four thouſand dollars.

For compenſation to the Poſtmaſter-General, Aſſiſtant Poſtmaſter-General, clerks and perſons employed in the Poſtmaſter-General's office, eight thouſand nine hundred and fifty dollars.

For expenſe of fire-wood, ſtationery, printing, rent and other contingent expenſes, in the office of the Poſtmaſter-General, two thouſand dollars.

Out of what funds the appropriations are to be paid.

Sec. 2. *And be it further enacted*, That the ſeveral appropriations herein before made, ſhall be paid and diſcharged out of the fund of ſix hundred thouſand dollars, reſerved by the act "making proviſion for the debt of the United States," together with ſo much as may be neceſſary of the proceeds of the duties on imports, and the tonnage of ſhips and veſſels, and the duties on domeſtic diſtilled ſpirits and ſtills, which ſhall accrue until the cloſe of the preſent year.

JONATHAN DAYTON, *Speaker of the House of Repreſentatives.*

JAMES ROSS, *Preſident of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXII.

An act reſpecting Diſtillers of Geneva.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congress aſſembled*, That the proprietor or poſſeſſor of any diſtillery ſituated in any place other than a city, town or village, and employed ſolely in the diſtillation of geneva, where ſuch proprietor or poſſeſſor ſhall employ in ſuch diſtillery any one ſtill whoſe capacity ſhall not exceed eight hundred gallons, from materials the growth or produce of the United States, may at his or her option be charged with and pay duty on the quantity of ſpirits thereat diſtilled, at the ſame rates, according

he proof thereof, as are now chargeable on ſuch ſpi-its diſtilled in cities, towns and villages, ſubject to he ſame regulations, proviſions, penalties and forfei-ures as are eſtabliſhed for ſecuring and collecting the uties on other domeſtic diſtilled ſpirits.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

JAMES ROSS, *Preſident of the Senate, pro tempore.*

PPROVED, March 2, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXIII.

An Act to regulate the Medical Eſtabliſhment.

C. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, Congreſs aſſembled,* That in the medical eſtabliſhment the United States, there ſhall be the following offi-rs: A phyſician-general, who ſhall be charged with ſuperintendance and direction of all military hoſpi-s, and generally of all medical and chirurgical prac-or ſervice concerning the army or navy of the Uni-States, and of all perſons who ſhall be employed in about the ſame, in camps, garriſons, and hoſpi-. An apothecary-general, and one or more de-ies, who ſhall be charged with the ſafe-keeping delivery of all medicines, inſtruments, dreſſings other articles for the uſe of the hoſpital and y. A purveyor, who ſhall be charged with pro-ng medicines, ſtores, and whatſoever elſe may be eſſary in relation to the ſaid practice or ſervice. ompetent number of hoſpital ſurgeons, who ſhall iable to ſerve in the field, and who ſhall have the ediate charge and direction of ſuch military hoſ-s as may be committed to their care reſpectively. itable number of hoſpital mates, who are to ob-the directions of the hoſpital ſurgeons, and ſhall ently perform all reaſonable duties required of for the recovery of the ſick and wounded.

Of what officers the medical eſtabliſhment ſhall conſiſt.

Persons to attend military hospitals.

Sec. 2. *And be it further enacted*, That each military hospital shall have a steward, with a competent number of nurses and other attendants; which steward shall be charged with the procuring of such supplies as may not otherwise be furnished, and with the safe-keeping and issuing of all supplies.

How the persons belonging to the medical establishment shall be appointed, &c.

Sec. 3. *And be it further enacted*, That the said physician-general, hospital surgeons, purveyor, and apothecary and apothecaries, deputy or deputies, shall be appointed as other officers of the United States—that the said mates and stewards shall be appointed by the authority, and at the discretion of the said physician-general, subject to the eventual approbation and controul of the President of the United States, and shall be removable by the authority of the said physician-general; and that the surgeon of each hospital shall appoint, employ and fix the compensations of the nurses and other attendants of such hospital, subject to the controul of the said physician-general, or the hospital surgeon, of senior appointment, with a separate army, or in a separate district.

Regimental surgeons and mates may be employed in the hospitals.

Sec. 4. *And be it further enacted*, That as often as the regimental sick will not suffer by the employing of regimental surgeons or mates in the temporary other hospitals of the United States, the physician general, or the hospital surgeon of senior appointment with a separate army, or in a separate district, with the consent of the general and commander in chief or the officer commanding a separate army, may require the attendance of such surgeons or surgeons mates, as, in his opinion, can be with safety so withdrawn from their regiments.

The Physician-general and hospital surgeons to frame a system of directions.

Sec. 5. *And be it further enacted*, That it shall be the duty of the physician-general, with two or more hospital surgeons, to frame a system of directions relative to the description of patients to be admitted into the hospitals; to the means of promoting cleanliness in the hospitals; to the prevention of idleness skulking and gambling in the hospitals; to the prevention of the spread of infectious distempers in the camps and hospitals, and the government of nurses and all others charged with the care of the sick in camps or hospitals, subject in the first instance to

pprobation and reviſion of the commander in chief, he commander of a ſeparate army, or in a ſeparate iſtrict, as the caſe may be, and eventually to the approbation and controul of the Preſident of the United States. *Provided always*, That the ſaid directions, aving received the ſanction of the commander in hief, or the commander of a ſeparate army, ſhall be perative, and remain in full force, unleſs altered or nnulled by the Preſident of the United States.

Compenſation and emoluments of the officers.

Sec. 6. *And be it further enacted*, That the compenſations of the ſaid ſeveral officers ſhall be as follows: Of the phyſician-general, one hundred dollars ay per month, and fifty dollars per month, which hall be in full compenſation for forage, rations and ravelling expenſes: Of the purveyor, one hundred ollars pay per month, in full compenſation for his ervices and all expenſes: Of the apothecary-general, ighty dollars pay per month, and thirty dollars per nonth in full compenſation for forage, rations, and ll expenſes: of each of his deputies, fifty dollars pay er month, and ſixteen dollars per month in full ompenſation for forage, rations, and all expenſes: f each hoſpital ſurgeon, eighty dollars pay per month, nd forty dollars per month in full compenſation for orage, rations, and all expenſes: of each mate, hirty dollars pay per month, and twenty dollars per nonth in full compenſation for forage, rations, and ll expenſes: of each ſteward, twenty-five dollars pay er month, and eight dollars per month in full compenſation for forage, rations, and all expenſes. *Proided*, that none of the officers aforeſaid ſhall be entitled to any part of the pay or emoluments aforeſaid, ntil they ſhall reſpectively be called into actual ervice.

Temporary and permanent hoſpitals may be provided.

Sec. 7. *And be it further enacted*, That for the accommodation of the ſick of the army and navy of the United States, the phyſician-general and hoſpital ſurgeon of ſenior appointment, with the approbation of the general commanding the army within the diſtrict where he ſhall be, ſhall have power to provide emporary hoſpitals; and the phyſician-general, with he approbation of the Preſident of the United States, hall have power to provide and eſtabliſh permanent oſpitals.

Rules to which the said officers and others shall be subject, &c.

Sec. 8. *And be it further enacted*, That all the said officers and others shall, as touching their several offices and duties, be liable to the rules and regulations for the government and discipline of the army; and shall be bound to obey, in conformity with law and the usages and customs of armies, the orders and directions of the chief military officers of the respective armies, and within the respective districts in which they shall respectively serve and be.

A medical board to examine candidates.

Sec. 9. *And be it further enacted*, That the physician-general, or in his absence, the senior medical officer, with the approbation of the commander in chief, or commanding officer of a separate army, be, and hereby is authorized and empowered, as often as may be judged necessary, to call a medical board, which shall consist of the three senior medical officers then present, whose duty it shall be to examine all candidates for employment or promotion in the hospital department, and certify to the Secretary at War the qualifications of each.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President pro tempore of the Senate.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXXIV.

An act making additional appropriations for the year one thousand seven hundred and ninety-nine.

Specific appropriations.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following additional appropriations for the year one thousand seven hundred and ninety-nine, shall be, and are hereby made; that is to say:—

Specific appropriations.

For further expenſes in carrying into effect the fifth article of the treaty of amity, commerce and navigation between the United States and Great-Britain, twenty-five thouſand dollars.

For the ſalaries, office-rent, clerk-hire, and contingencies of the commiſſioners under the ſixth article of the ſaid treaty, and for the ſalary of their ſecretary, ſixteen thouſand dollars.

For enabling the Preſident of the United States to defray the expenſes which have been and may be incurred under the act paſſed June the thirtieth, one thouſand ſeven hundred and ninety-ſeven, entitled "An act directing the appointment of agents in relation to the ſixth article of the treaty of amity, commerce and navigation, between the United States and Great-Britain," a ſum not exceeding ten thouſand dollars in addition to the ſum already appropriated for that purpoſe.

For the ſalaries of the commiſſioners, under the ſeventh article of the ſaid treaty, ſixteen thouſand, ſix hundred and ſixty-ſix dollars, and ſixty-ſeven cents.

For the ſalaries, clerk-hire, office-rent, and other contingencies of the two agents reſiding in England, on buſineſs relative to the ſaid ſeventh article, nine thouſand, eight hundred and thirty-three dollars, and thirty-three cents.

For further expenſes in carrying into effect the treaty of amity, navigation and limits between the United States and Spain, twenty thouſand dollars.

For making good deficiencies in former appropriations for carrying into effect the engagements of the United States with the Mediterranean powers, two hundred thouſand dollars.

For ſatisfying claims, other than for regiſtered debt, which may be allowed at the Treaſury of the United States, purſuant to the act, entitled "An act reſpecting loan-office and final ſettlement certificates", (in addition to former appropriations) the ſum of thirty thouſand dollars.

For the expenſes of intercourſe with foreign nations during the preſent year, in addition to the ſum of forty thouſand dollars appropriated by law, for that purpoſe, the ſum of twenty-one thouſand dollars.

Specific appropriations.

For the contingent expenſes of intercourſe with foreign nations, the ſum of ſeventy-eight thouſand, ſeven hundred dollars.

For the reimburſement of ſuch reaſonable advances of money, as have been, or during the preſent year, may be made by the conſuls of the United States, in affording relief to ſick and deſtitute American ſeamen in foreign countries, or in aiding them to return to their homes, twenty thouſand dollars.

For the expenſes already ariſen, or which, during the preſent year, may be incurred, for the ſupport and ſafe-keeping of perſons captured in French ſhips and veſſels, eighteen thouſand dollars.

Certain ſubjects of Algiers & Tunis to be indemnified.

Sec. 2. *And be it further enacted*, That the Preſident of the United States ſhall be, and hereby is authorized to cauſe to be paid to certain ſubjects of Algiers and Tunis, the damages ſuſtained by them from the capture or loſs of certain merchandiſe freighted on board of veſſels ſailing under the flag of the United States; and that fifty-one thouſand, nine hundred, and eighty-ſeven dollars be appropriated for that purpoſe.

Damages and coſts to be paid to the owner of the ſhip Niger.

Sec. 3. *And be it further enacted*, That the Preſident of the United States ſhall be, and hereby is authorized and empowered to cauſe to be paid to the maſter and owner of the armed ſhip Niger, ſuch coſts and damages as have been, or may be awarded againſt the United States, purſuant to the decree of the circuit court of the United States for the diſtrict of Virginia, for the capture and detention of the ſaid ſhip, by the Conſtitution frigate; and that eleven thouſand dollars be appropriated for that purpoſe.

How the appropriations are to be paid.

Sec. 4. *And be it further enacted*, That the ſaid appropriations ſhall be paid out of any monies in the Treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

JAMES ROSS, *Preſident of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXV.

An Act to amend the act, intituled "An Act regulating the grants of land appropriated for military services, and for the society of the United Brethren, for propagating the Gospel among the Heathen."

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the fourth section of an act, intituled, "An act regulating the grants of land appropriated for military services, and for the society of the United Brethren, for propagating the Gospel among the Heathen," be, and the same is hereby repealed.

Sec. 2. *And be it further enacted,* That all the lands set apart by the first section of the abovementioned act, which shall remain unlocated on the first day of January, in the year one thousand eight hundred and two, shall be released from the said reservation, and shall be at the free disposition of the United States, in like manner as any other vacant territory of the United States. And that all warrants or claims for lands on account of military services, which shall not, before the day aforesaid, be registered and located, shall be for ever barred.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate, pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXXVI.

An Act in addition to an act, intituled, "An act for the more general promulgation of the laws of the United States."

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of State shall, Laws, &c. to be published in one or

more newſpapers in each ſtate.

as ſoon as conveniently may be, after he ſhall receive any order, reſolution or law paſſed by Congreſs, cauſe the ſame to be publiſhed at leaſt in one of the public newſpapers printed within each ſtate; and whenever, in any ſtate, the aforeſaid publication ſhall be found not ſufficiently extenſive for the promulgation thereof, the Secretary of State ſhall cauſe ſuch orders, reſolutions and laws to be publiſhed in a greater number of newſpapers printed within ſuch ſtate, not exceeding three in any ſtate.

Additional copies of the laws of each ſeſſion to be printed and diſtributed.

Sec. 2. *And be it further enacted*, That in addition to the number of copies of the laws now required to be printed, at the end of every ſeſſion of Congreſs there ſhall be printed, under the direction of the Secretary of State, five thouſand copies; one copy whereof he ſhall cauſe to be delivered to each of the judges of the courts of the United States; one copy to the clerks of the ſaid courts reſpectively, for the uſe of the ſaid courts; and one copy to each of the diſtrict attornies and marſhals of the United States:—the reſt to be furniſhed according to the rule for apportioning repreſentatives to the ſeveral ſtates, and ſent to the Executives thereof, to be by them diſtributed according to the uſage of the ſtates, reſpectively, as to their own laws, or according to ſuch laws of the ſtates, reſpectively, as may be provided for the purpoſe.

Conſtitution and amendments to be printed.

Sec. 3. *And be it further enacted*, That the Secretary of State ſhall cauſe a copy of the conſtitution of the United States, and of the amendments which have been made thereto, to be added to each copy of the laws of the preſent ſeſſion of Congreſs, which is to be printed.

Part of former act repealed.

Sec. 4. *And be it further enacted*, That ſo much of the ſecond ſection of the act, intituled "An act to provide for the ſafe-keeping of the acts, records and ſeal of the United States," as relates to the publiſhing the laws, orders, reſolutions and votes paſſed by Congreſs, in the public newſpapers, be, and the ſame is hereby repealed.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXXXVII.

An act giving eventual authority to the Preſident of the United States to augment the army.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled,* That it ſhall be lawful for the Preſident of the United States, in caſe war ſhall break out between the United States and a foreign European power, or in caſe imminent danger of invaſion of their territory by any ſuch power ſhall, in his opinion, be diſcovered to exiſt, to organize and cauſe to be raiſed, in addition to the other military force of the United States, twenty-four regiments of infantry, a regiment and a battalion of riflemen, a battalion of artilleriſts and engineers, and three regiments of cavalry, or ſuch part thereof as he ſhall judge neceſſary; the non-commiſſioned officers and privates of which to be enliſted for a term not exceeding three years, and to be entitled each to a bounty of ten dollars—one half to be paid at the time of enliſtment, and the remainder at the time of joining the regiment to which they may belong.

In caſe of war or danger of invaſion, an additional force may be raiſed.

Sec. 2. *And be it further enacted,* That the Preſident of the United States be authorized, whenever it ſhall appear to him expedient, if during the ſeſſion of the Senate, with their advice and conſent, if, in their receſs, alone, to appoint and commiſſion all officers for the ſaid troops, agreeably to the rules and regulations preſcribed by law for the military eſtabliſhment: *Provided,* That the general and field officers who may be appointed in the receſs of the Senate, ſhall, at the next meeting thereof, be nominated and ſubmitted to them for their advice and conſent.

How the officers may be appointed.

Sec. 3. *And be it further enacted,* That the officers, non-commiſſioned officers and privates of the troops, which may be organized and raiſed purſuant to this act, ſhall be entitled to the like pay, cloathing, rations, forage and other emoluments, and to the like compenſation in caſe of diſability by wounds or otherwiſe, incurred in the ſervice, as the officers, non-commiſſioned officers and privates of other troops of correſpondent denominations, compoſing the army of the

Pay and emoluments to which the new levies ſhall be entitled.

To what rules they shall be subject.

United States; and with them shall be subject to the rules and articles of war, and to all other regulations for the discipline and government of the army.

Proviso.

Provided, That no officer, except captains and subalterns who may be employed in the recruiting service, shall be entitled to any part or other emolument until he shall be called into actual service.

The laws respecting the military establishment to be in force in relation to them.

Sec. 4. *And be it further enacted*, That the laws of the United States respecting the regulations and emoluments of recruiting officers, punishment of persons who shall procure or entice a soldier to desert, or shall purchase his arms, uniform, cloathing, or any part thereof, and the punishment of every commanding officer of every ship or vessel who shall receive on board his ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away any soldier, or refuse to deliver him up to the orders of his commanding officer; and the law respecting the oath or affirmation to be taken by officers, non-commissioned officers, musicians and privates; and respecting the inserting of conditions in the enlistments; and all other laws respecting the military establishment of the United States, excepting in such cases where different and specific regulations are made by this act, shall be in force, and apply to all persons, matters and things within the intent and meaning of this act, in the same manner as they would were they inserted at large in the same.

The President may discharge them.

Sec. 5. *And be it further enacted*, That it shall be lawful for the President of the United States, at his discretion, to discharge the whole or any part of the troops which may be raised by virtue of this act, whensoever he shall think fit.

The volunteers may be organized.

Sec. 6. *And be it further enacted*, That the President of the United States be authorized to organize all such companies of volunteers, as have been or shall be accepted by him, pursuant to the act, entitled, "An act authorizing the President of the United States to raise a provisional army," into regiments, brigades and divisions, and to appoint all officers thereof, agreeably to the organization prescribed by law for the army of the United States: And the said volunteers shall not be compelled to serve out of the state in which they reside, a longer time than three months after their arrival at the place of rendezvous.

Proviso.

Sec. 7. *And be it further enacted*, That it ſhall be lawful for the Preſident of the United States to call forth and employ the ſaid volunteers in all the caſes, and to effect all the purpoſes for which he is authorized to call forth and employ the militia by the act, entitled, "An act to provide for calling forth the militia, to execute the laws of the union, ſuppreſs inſurrections, and repel invaſions, and to repeal the act now in force for theſe purpoſes." For what purpoſes the volunteers may be employed.

Sec. 8. *And be it further enacted*, That it ſhall not be lawful for the Preſident of the United States to accept a greater number of the ſaid volunteers in any of the ſtates, or territories of the United States, than is hereinafter apportioned to them reſpectively; *that is to ſay:* To New-Hampſhire, three thouſand; to Maſſachuſetts, ten thouſand; to Rhode-Iſland, one thouſand; to Vermont, two thouſand; to Connecticut, five thouſand; to New-York, ſeven thouſand; to New-Jerſey, five thouſand; to Pennſylvania, ten thouſand; to Delaware, one thouſand; to Maryland, five thouſand; to Virginia, ten thouſand; to Kentucky, one thouſand; to North-Carolina, ſeven thouſand; to Tenneſſee, one thouſand; to South-Carolina, four thouſand; to Georgia, fifteen hundred; to North Weſtern Territory, one thouſand; and to Miſſiſippi Territory, five hundred. Proportion of volunteers from each ſtate limited.

Sec. 9. *And be it further enacted*, That for the execution of this act, if it ſhall be found neceſſary to carry it, or any part of it into effect, there be appropriated the ſum of two millions of dollars, and that the Preſident be authorized to borrow, on behalf of the United States, the ſaid ſum, or ſo much thereof as he ſhall deem neceſſary (which the bank of the United States is hereby empowered to lend) and upon ſuch terms and conditions as he ſhall judge moſt advantageous to the United States. *Provided*, That ſuch terms and conditions ſhall not reſtrain the United States from paying off the ſum which may be borrowed, after the expiration of fifteen years. Appropriation for the purpoſes of this act, and authority to borrow money.

Sec. 10. *And be it further enacted*, That ſo much as may be neceſſary of the ſurplus of the duties on imports and tonnage, beyond the permanent appropriations heretofore charged upon them by law, ſhall be, and hereby is pledged and appropriated for paying the intereſt of all ſuch monies as may be bor- Certain duties pledged to redeem the loan.

rowed purſuant to this act, according to the terms and conditions on which the loan or loans, reſpectively, may be effected; and alſo for paying, by diſcharging the principal ſum or ſums of any ſuch loan or loans, according to the terms and conditions to be fixed as aforeſaid.

Limitation of the powers given in the firſt & ſecond ſections.

Sec. 11. *And be it further enacted*, That the powers, by the firſt and ſecond ſections of this act veſted in the Preſident of the United States, ſhall ceaſe at the expiration of the ſeſſion of Congreſs next enſuing the preſent, unleſs they ſhall be, by ſome future law, continued in force for a longer time.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

JAMES ROSS, *Preſident pro tempore of the Senate.*

APPROVED, March 2, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXVIII.

An act providing for the ſecurity of bail in certain caſes.

If a defendant giving bail in one diſtrict is committed in another, the bail may be diſcharged.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That in all caſes where a defendant, who hath procured bail to reſpond the judgment in a ſuit brought againſt him in any of the courts of the United States, ſhall afterwards be arreſted in any diſtrict of the United States, other than that in which the firſt ſuit was brought, and ſhall be committed to a gaol, the uſe of which ſhall have been ceded to the United States for the cuſtody of priſoners, it ſhall be lawful for and the duty of any judge of the court, in which the ſuit is depending, wherein ſuch defendant had ſo procured bail as aforeſaid, at the requeſt and for the indemnification of the bail, to order and direct that ſuch defendant be held in the gaol to which he ſhall have been commit-

ed a priſoner, in the cuſtody of the marſhal, within hoſe diſtrict ſuch gaol is, and upon the ſaid order ly authenticated, being delivered to the ſaid marſhal, ſhall be his duty to receive ſuch priſoner into his uſtody, and him ſafely to keep, and the marſhal ſhall hereupon be chargeable, as in other caſes, for an ſcape. And the ſaid marſhal thereupon ſhall make certificate, under his hand and ſeal, of ſuch commitment, and tranſmit the ſame to the court from which ch order iſſued; and ſhall alſo, if required, make a uplicate thereof, and deliver the ſame to ſuch bail, is or their agent or attorney, and upon the ſaid certificate being returned to the court which made the id order, it ſhall be lawful for the ſaid court or any dge thereof, to direct that an exoneretur be entered pon the bail-piece where ſpecial bail ſhall have been ound, or otherwiſe to diſcharge ſuch bail, and ſuch il ſhall thereupon accordingly be diſcharged.

Duty of the marſhal.

Sec. 2. *And be it further enacted*, That the marſhal or his deputy, ſerving ſuch order as aforeſaid, ſhall herefor receive the ſame fees and allowances as for he ſervice of an original proceſs commitment thereon to the gaol and the return thereof.

His fees.

Sec. 3. *And be it further enacted*, That in every caſe of commitment as aforeſaid, by virtue of ſuch order as aforeſaid, the perſon ſo committed ſhall, unleſs ſooner diſcharged by law, be holden in gaol until final judgment ſhall be rendered in the ſuit in which he procured bail as aforeſaid, and ſixty days thereafter, if ſuch judgement ſhall be rendered againſt him, that he may be charged in execution, which may be directed to and ſerved by the marſhal in whoſe cuſtody he is. *Provided always*, That nothing in this act contained ſhall effect any caſe wherein bail has been already given.

Defendant to be held until judgment in the firſt ſuit, &c.

This act not to affect bail already given.

JONATHAN DAYTON, *Speaker of the Houſe of Repreſentatives.*

JAMES ROSS, *Preſident pro tempore of the Senate.*

APPROVED, March 2, 1799.

JOHN ADAMS,
Preſident of the United States.

CHAPTER CXXXIX.

An Act to grant an additional compensation for the year one thousand seven hundred and ninety-nine, to certain officers of the Senate and House of Representatives of the United States.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be allowed to the Secretary of the Senate and to the Clerk of the House of Representatives, each two hundred dollars; and that the sum of one hundred dollars be, and the same is hereby allowed to each of the principal and engrossing clerks in the office of the Secretary of the Senate and of the Clerk of the House of Representatives, and a like sum to the Serjeant at arms of the House of Representatives, and to each of the door-keepers and assistant door-keepers of the two Houses of Congress, in addition to the compensations heretofore established by law, for the said officers, respectively; and that the aforesaid sums be paid out of any monies in the Treasury of the United States, not otherwise appropriated.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXL.

An act to authorize the sale of certain lands between the Great and Little Miami rivers in the territory of the United States north-west of the river Ohio; and for giving a pre-emption to certain purchasers and settlers.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person or persons, who, before the first day of April, in the year one thousand seven hundred and ninety-seven, had made any contract or contracts, in writing, with John Cleves Symmes,

Contractors with John C. Symmes to have a

or the purchaſe of lands between the Great and Little Miami rivers, which are not comprehended in his patent, dated the thirtieth day of September, one thouand ſeven hundred and ninety-four, ſhall be entitled o a preference, in purchaſing of the United States, ll the lands ſo contracted for, at the price of two dolrs an acre, to be paid to the Treaſurer of the United tates, as follows; one-third part of the purchaſeoney, on or before the firſt day of September next; ne other third part in one year from the ſaid firſt day f September; and the remaining third part in two ears from the ſaid firſt day of September; which two ſt payments ſhall be ſecured in the manner pointed ut and directed by the act, intitled, "An act for proding for the ſale of the lands of the United States in e territory north-weſt of the river Ohio, and above e mouth of Kentucky river." And that upon each yment, the ſame evidences of purchaſe and title ſhall given to the purchaſers, reſpectively, as to purhaſers under the ſaid recited act.

right of pre-emption, on making certain payments.

Sec. 2. *And be it further enacted*, That each and very perſon claiming the benefit of this act, ſhall, on before the firſt day of September next, give notice, writing, to the Secretary of the Treaſury, or to the urveyor-General, that they claim the right of preemption, by this act offered, and do aſſent to the terms ſale eſtabliſhed by this act. And if any perſon ſhall eglect to give the ſaid notice, or ſhall fail in making e firſt payment, as before directed, all right of preemption ſhall ceaſe, and become void; and the lands all be ſurveyed and ſold agreeably to the directions the before-recited act.

Notice to be given by purchaſers.

Right of pre-emption may be loſt, &c.

Sec. 3. *And be it further enacted*, That the Surveyoreneral ſhall, as ſoon as may be, after the receipt of e notice aforeſaid, lay off and ſurvey the ſaid lands, reeably to the directions of the ſaid recited act, unſs the ſaid lands have been heretofore ſurveyed and id off by the ſaid contractors or ſettlers; in which ſe, the Surveyor-General ſhall ſurvey the outlines ſuch tract or tracts, ſo as to aſcertain the contents, d ſhall cauſe the ſame to be recorded and depoſited, in and by the ſaid recited act, is directed for the ts and ſurveys made under that act.

The lands to be ſurveyed.

Purchasers may be credited with the expense of surveying.

Sec. 4. *And be it further enacted*, That it may be lawful for the Secretary of the Treasury to credit the said purchasers with such reasonable sum or sums of money as have been expended in surveying the said land; provided the same does not exceed the sums allowed by the United States to their own surveyors for the like services.

Evidences of public debt may be received in payment.

Sec. 5. *And be it further enacted*, That the evidences of the public debt of the United States shall be receivable in payment for the said lands, agreeably to the directions of an act, entitled, "An act, to authorize the receipt of evidences of the public debt in payment for the lands of the United States."

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLI.

An act for the relief of Comfort Sands, and others.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the accounting officers of the Treasury be, and they are hereby authorized and empowered, upon application of the parties, to examine and decide upon the validity of a certain award or report, made on the twenty-fifth day of October, one thousand seven hundred and eighty-seven, by Isaac Roosevelt, William Malcom, Elbridge Gerry, and Henry Remsen (four of the referrees nominated for the purpose) between the United States and Comfort Sands and others, his co-partners (contractors for furnishing supplies to the troops during the late war) and that in making their decision upon the said award or report, the said officers of the Treasury shall be governed by principles similar to those which would prevail in a controversy concerning it, at law: And

if, in the opinion of the accounting officers aforesaid, the said award or report ought to be binding and obligatory against the United States, then, and in such case, but not otherwise, the said Comfort Sands and others, his said co-partners, shall be entitled to have their said claim against the United States, as on the said award, allowed and settled at the Treasury, in the usual manner, and shall be paid the amount of the claim so to be allowed, out of any monies which may be in the Treasury, not otherwise appropriated. *Provided*, That if, on examination by the officers of the Treasury, it shall be found that the said Comfort Sands, or either of his co-partners are indebted to the United States, they shall charge the amount in which they may be so indebted, against the sums which may be allowed on account of said award.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLII.

An act in addition to "An act for the relief of sick and disabled seamen."

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States shall be, and he hereby is authorized to direct the expenditure of any monies which have been or shall be collected by virtue of an act, entitled, "An act for the relief of sick and disabled seamen," to be made within the state wherein the same shall have been collected, or within the state next adjoining thereto, excepting what may be collected in the states of New-Hampshire, Massachusetts, Rhode-Island, and Connecticut; any thing in the said act contained to the contrary thereof, notwithstanding. Manner of expending monies collected.

Sec. 2. *And be it further enacted*, That the secretary of the navy shall be, and he hereby is authorized and

Secretary of the navy to deduct a certain sum from the pay of the navy.

directed to deduct, after the first day of September next, from the pay thereafter to become due, of the officers, seamen and marines of the Navy of the United States, at the rate of twenty cents per month, for every such officer, seaman and marine, and to pay the same quarter-annually to the Secretary of the Treasury, to be applied to the same purposes, as the money collected by virtue of the above-mentioned act is appropriated.

Officers, seamen, &c. of the navy, entitled to the benefits of the act.

Sec. 3. *And be it further enacted*, That the officers, seamen and marines of the navy of the United States, shall be entitled to receive the same benefits and advantages, as by the act above-mentioned are provided for the relief of the sick and disabled seamen of the merchant vessels of the United States.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLIII.

An Act authorizing an augmentation of the Marine Corps.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States shall be, and he is hereby authorized to cause the marine corps in the service of the United States to be augmented, by the appointment and enlistment of not exceeding two first lieutenants, six second lieutenants, eight surgeons, one hundred and seventy privates, and eighteen drums and fifes, who shall be respectively allowed the same pay, bounty, cloathing, and rations, and shall be employed under the same rules and regulations to which the said marine corps are or shall be entitled and subject.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLIV.

An Act to augment the Salaries of the Officers therein mentioned.

Sec. 1. BE *it enacted by the Senate and house of Representatives of the United States of America, in Congress assembled,* That in lieu of the salaries heretofore allowed by law to the officers of the government of the United States, hereinmentioned, the following annual compensations be, and are hereby granted to the said officers respectively, from the commencement of the present year; That is to say:

The Secretary of State, five thousand dollars:

The Secretary of the Treasury, five thousand dollars:

The Secretary of War, four thousand five hundred dollars:

The Secretary of the Navy, four thousand five hundred dollars:

The Attorney-general, three thousand dollars:

The Comptroller of the Treasury, three thousand five hundred dollars:

The Treasurer, three thousand dollars:

The Auditor of the Treasury, three thousand dollars:

The Commissioner of the Revenue, three thousand dollars:

The Register of the Treasury, two thousand four hundred dollars:

The Accountant of the War Department, two thousand dollars:

The Accountant of the Navy Department, two thousand dollars:

The Postmaster-General, three thousand dollars:

And, the Assistant Postmaster General, one thousand seven hundred dollars. Which sums shall be respectively paid, quarterly, at the Treasury of the United States.

Sec. 2. *And be it further enacted,* That this act shall continue in force for three years, and no longer.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President pro tempore of the Senate.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLV.

An Act to erect a Beacon on Boon Island.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury, under the direction of the President of the United States, be authorized, as soon as may be, to cause a beacon or monument to be erected on a ledge of rocks, called Boon Island, on the sea coast of the district of Maine; and that the sum of four hundred dollars be appropriated for the same, out of any monies in the Treasury, not otherwise appropriated.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLVI.

An Act to regulate and fix the compensation of clerks.

Compensations of clerks in the departments of state, treasury, war, and the navy, may be varied so as not to exceed limited sums.

SEC. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretaries of the Treasury, State, War and Navy Departments, shall be, and hereby are authorized and empowered, to vary the compensations heretofore established for clerks in their respective departments, in such manner as the services to be performed shall, in their judgment, require; any thing in any former act to the contrary notwithstanding. *Provided always,* that the whole amount of compensations for clerks, in the said departments, respectively, shall not exceed the following sums; that is to say: For the Department of State, five thousand nine hundred and fifty dollars: For the Treasury Department, forty-two thousand six hundred and twenty dollars, and thirty-four cents, that is to say, in the office of the Secretary of the Treasury, five thousand, eight hundred and thirty-nine dollars, and eighty-one cents; in the office of the Comptroller

of the Treaſury, nine thouſand and ſixty-ſeven dollars and eight cents; in the office of the Auditor of the Treaſury, eight thouſand eight hundred and ten dollars, and ninety-three cents; in the office of the Treaſurer of the United States, two thouſand eight hundred and ſeventeen dollars and forty-five cents; in the office of the Commiſſioner of the Revenue, two thouſand eight hundred and forty-three dollars, and ſix cents; and in the office of the Regiſter of the Treaſury, thirteen thouſand two hundred and forty-two dollars, and one cent: For the Department of War, fifteen thouſand three hundred and forty dollars, that is to ſay; in the office of the Secretary of the ſaid department, ſix thouſand three hundred and forty dollars; in the office of the Accountant of the ſaid department, eight thouſand five hundred dollars; and in the office of the Purveyor of Public Supplies, five hundred dollars: For the department of the Navy, ſeven thouſand one hundred dollars; that is to ſay, in the office of the Secretary of the department of the Navy, four thouſand two hundred dollars; and in the office of the Accountant of the Navy department, ſix thouſand nine hundred dollars.

Clerks in the office of Poſtmaſter-General.

Sec. 2. *And be it further enacted*, That the Poſtmaſter-General of the United States, ſhall be, and hereby is authorized and empowered to appoint ſuch number of clerks in his office, as he ſhall judge proper, and to apportion and vary their compenſations in ſuch manner as the ſervices to be rendered by each, ſhall in his judgment require: *Provided always*, that the whole amount of compenſations for clerks in the ſaid office, ſhall not exceed the ſum of four thouſand two hundred and fifty dollars, annually; which ſum ſhall be paid quarterly, out of the revenues of the Poſt-Office.

Additional compenſation to one of the clerks in the mint.

Sec. 3. *And be it further enacted*, That the Director of the Mint ſhall be, and hereby is authorized to allow one of the clerks employed in his office, the ſum of two hundred dollars per annum, in addition to the ſalary of five hundred dollars, heretofore eſtabliſhed for the clerks in the ſaid office.

Deficiencies al-

Sec. 4. *And be it further enacted*, That there ſhall be allowed to the Secretary and Accountant of the Navy department reſpectively, in the ſettlement of

lowed in the navy department.

their accounts, the following ſums for deficiencies in the proviſions made by law for their clerks during the year one thouſand ſeven hundred and ninety-eight; that is to ſay, to the ſaid Secretary, eight hundred and eighty-ſeven dollars, and twenty-nine cents; and to the ſaid Accountant, one hundred and eighty-eight dollars, and thirty-two cents.

Clerks & clerk-hire to the commiſſioners of loans.

Sec. 5. *And be it further enacted*, That there ſhall be allowed to the Commiſſioners of Loans in the ſtates of Maſſachuſetts and New-York, reſpectively, not exceeding five clerks, at the rate of five hundred dollars per annum each; to the Commiſſioner of Loans in the ſtate of Connecticut, not exceeding two clerks, at the rate of four hundred dollars per annum each; to the Commiſſioners of Loans in the ſtates of Pennſylvania, Virginia and South-Carolina, reſpectively, not exceeding two clerks, at the rate of five hundred dollars per annum each; the aggregate of the compenſations for clerks employed by either of the ſaid commiſſioners, to be apportioned among them at his diſcretion: And that there be annually allowed in lieu of clerk-hire, to the commiſſioner of Loans in the ſtate of New-Hampſhire, three hundred and fifty dollars; to the Commiſſioner of Loans in the ſtate of Rhode-Iſland, four hundred dollars; to the Commiſſioner of Loans in the ſtate of New-Jerſey, three hundred dollars; and to the Commiſſioner of Loans in the ſtate of Maryland, two hundred and fifty dollars.

JONATHAN DAYTON, *Speaker of the House of Repreſentatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS, *President of the United States.*

CHAPTER CXLVII.

An act to revive and continue in force, certain parts of the "Act for the relief and protection of American ſeamen," and to amend the ſame.

Parts of the act revived.

Sec. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled*, That the firſt, ſecond and third

ections of the act, intituled, "An act for the relief and protection of American ſeamen," ſhall be and hereby are revived and continued in force for one year.

Duty of the Secretary of State.

Sec. 2. *And be it further enacted*, That the Secretary of State ſhall be, and hereby is required to lay before Congreſs, within ten days after the commencement of each ordinary ſeſſion, an annual ſtatement, containing an abſtract of all the returns made to him, by the collectors of the different ports, pursuant to the ſaid act, and of the communications received by him, from the agents employed by virtue of the ſame, in foreign countries.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLVIII.

An act making appropriations for the ſupport of the naval eſtabliſhment, for the year one thouſand ſeven hundred and ninety-nine.

Appropriation for the ſupport of the naval eſtabliſhment.

SEC. 1. BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That for the ſupport of the naval eſtabliſhment of the United States, during the year one thouſand ſeven hundred and ninety-nine, there ſhall be, and hereby is appropriated, the ſum of two millions, one hundred and two thouſand, three hundred and eighty-four dollars, and forty-one cents (including the ſum of eight hundred and twenty-three thouſand, eight hundred and eighty-ſeven dollars, and fourteen cents, being the balance, unexpended at the commencement of that year, of former appropriations for the naval department:) That is to ſay,

For the pay of the officers of the navy of the United States, the ſum of three hundred and five thouſand, one hundred and eighty-two dollars:

For the ſubſiſtence of the officers of the navy, the

ſum of one hundred and eighty-five thouſand, five hundred and forty-four dollars, and nineteen cents:

For the pay of the ſeamen, the ſum of ſix hundred and ſeventy-two thouſand, nine hundred and ninety dollars:

For proviſions, the ſum of four hundred and thirty-one thouſand, ſeven hundred and twenty-ſix dollars, and thirty cents:

For contingent expenſes (including waſte of military ſtores) the ſum of three hundred and forty-five thouſand eight hundred dollars:

For the expenſe of medicines, hoſpital ſtores, &c. the ſum of forty-two thouſand, ſeven hundred and fifty dollars:

For the ſupport of the revenue cutters, the ſum of one hundred and ſeventeen thouſand, five hundred and ninety-one dollars, and ninety-two cents.

For the ſupport of the marine corps.

Sec. 2. *And be it further enacted*, That for the ſupport of the marine corps, during the year one thouſand ſeven hundred and ninety-nine, there be, and hereby is appropriated the ſum of two hundred and thirty-ſeven thouſand, ſeven hundred and eighty-eight dollars, and thirty-eight cents; that is to ſay,

For pay and rations for the ſaid corps, the ſum of one hundred and ſeventy-nine thouſand ſeven hundred and ninety-eight dollars:

For cloathing, the ſum of twenty-nine thouſand, five hundred and ninety-four dollars, and eighty-ſeven cents:

For military ſtores, the ſum of twenty-five thouſand, nine hundred and fifty-one dollars, and fifty-one cents:

For contingent expenſes, the ſum of four hundred and twenty dollars:

For bounties and premiums, the ſum of two thouſand and twenty-four dollars.

For completing the veſſels of war.

Sec. 3. *And be it further enacted*, That for completing the veſſels now building, the purchaſe of arms and military ſtores for the ſame, and for contingent expenſes relative thereto, the ſum of one million, four thouſand five hundred and four dollars, and twenty-four cents, ſhall be, and hereby is appropriated.

Sec. 4. *And be it further enacted*, That the aforesaid appropriations shall be paid out of any monies in the Treasury of the United States, not otherwise appropriated. How the appropriations are to be paid.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CXLIX.

An Act to establish the Post-Office of the United States.

Sec. 8. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be established at the seat of government of the United States, a General-Post-Office, under the direction of a Postmaster-General. The Postmaster-General shall appoint an assistant, and such clerks as may be necessary for performing the business of his office: He shall establish post-offices, and appoint postmasters, at all such places as shall appear to him expedient, on the post-roads that are or may be established by law—He shall give his assistant, the postmasters, and all other persons whom he shall employ, or who may be employed in any of the departments of the General-Post-Office, instructions relative to their duty—He shall provide for the carriage of the mail on all post-roads that are or may be established by law, and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper—He may direct the route or road where there are more than one between places designated by law for a post-road, which route shall be considered the post-road—He shall obtain from the postmasters their accounts and vouchers for their receipts and expenditures once in three months, or oftener, with the balances thereon arising in favor of the General-Post-Office—He shall pay all expenses

General post-office to be established.

Powers & duties of the Postmaster-General.

which may ariſe in conducting the poſt-office, and in the conveyance of the mail, and all other neceſſary expenſes ariſing on the collection of the revenue, and management of the General-Poſt-Office—He ſhall proſecute offences againſt the poſt-office eſtabliſhment—He ſhall once in three months render to the Secretary of the Treaſury a quarterly account of all the receipts and expenditures in the ſaid department, to be adjuſted and ſettled as other public accounts—He ſhall alſo ſuperintend the buſineſs of the department in all the duties that are or may be aſſigned to it. *Provided*, that in caſe of the death, reſignation, or removal from office of the Poſtmaſter-General, all his duties ſhall be performed by his aſſiſtant, until a ſucceſſor ſhall be appointed and arrive at the General-Poſt-Office to perform the buſineſs.

In caſe of vacancy his duties to devolve on his aſſiſtant.

Sec. 2. *And be it further enacted*, That the Poſtmaſter-General, and all other perſons employed in the General-Poſt-Office, or in the care, cuſtody, or conveyance of the mail, ſhall, previous to entering upon the duties aſſigned to them, or the execution of their truſts, and before they ſhall be entitled to receive any emolument therefor, reſpective take and ſubſcribe the following oath or affirmation, before ſome magiſtrate, and cauſe a certificate thereof to be filed in the General-Poſt-Office, "I. A. B. do ſwear (or affirm, as the caſe may be) that I will faithfully perform all the duties required of me, and abſtain from every thing forbidden by the laws in relation to the eſtabliſhment of the poſt-office and poſt-roads within the United States." Every perſon who ſhall be in any manner employed in the care, cuſtody, conveyance or management of the mail, ſhall be ſubject to all pains, penalties and forfeitures for violating the injunctions, or neglecting the duties required of him by the laws relating to the eſtabliſhment of the poſt-office and poſt roads, whether ſuch perſon ſhall have taken the oath or affirmation above preſcribed or not.

Officers of the poſt-office to take an oath.

Sec. 3. *And be it further enacted*, That if any perſon ſhall knowingly and wilfully obſtruct or retard the paſſage of the mail, or if any driver or carrier, or of any horſe or carriage carrying the ſame, he ſhall upon conviction, for every ſuch offence, pay a fine not exceeding one hundred dollars: And if any ferryman

Penalty on obſtructing the mail.

ſhall, by wilful negligence or refuſal to tranſport the mail acroſs any ferry, delay the ſame, he ſhall forfeit and pay for each half hour that the ſame ſhall be ſo delayed, a ſum not exceeding ten dollars.

Contracts for carrying the mail.

Sec. 4. *And be it further enacted*, That it ſhall be the duty of the Poſtmaſter-General to give public notice, in one or more of the newſpapers publiſhed at the ſeat of government of the United States, and in one or more of the newſpapers publiſhed in the ſtate or ſtates where the contract is to be performed, for at leaſt ſix weeks before entering into any contract for carrying the mail, that ſuch contract is intended to be made, and the day on which it is to be concluded, deſcribing the places from and to which ſuch mail is to be conveyed, the time at which it is to be made up, and the day and hour at which it is to be delivered: He ſhall, moreover, within ninety days after the making of any contract, lodge a duplicate thereof, together with the propoſals which he ſhall have received reſpecting it, in the office of the Comptroller of the Treaſury of the United States. *Provided*, That no contract ſhall be entered into for a longer term than four years.

Duty of Poſtmaſters.

Sec. 5. *And be it further enacted*, That every Poſtmaſter ſhall keep an office, in which one or more perſons ſhall attend at ſuch hours as the Poſtmaſter-General ſhall direct, for the purpoſe of performing the duties thereof, and all letters brought to any poſt-office half an hour before the time of making up the mail at ſuch office, ſhall be forwarded therein; except at ſuch poſt-offices, where, in the opinion of the Poſtmaſter-General, it requires more time for making up the mail, and which he ſhall accordingly preſcribe, but this ſhall in no caſe exceed one hour.

No fees to be received by perſons employed in the Gen. poſt-office.

Sec. 6. *And be it further enacted*, That no fees or perquiſites ſhall be received by any perſon employed in the General-Poſt-Office on account of the duties to be performed by virtue of his appointment.

Sec. 7. *And be it further enacted*, That the following rates of poſtage ſhall be charged on all letters and packets (excepting ſuch as herein after exempted) conveyed by the poſts of the United States, viz.

Rates of postage.

For every letter composed of a single sheet of paper, conveyed not exceeding forty miles, eight cents.

Over forty, and not exceeding ninety miles, ten cents.

Over ninety, and not exceeding one hundred and fifty miles, twelve and an half cents.

Over one hundred and fifty, and not exceeding three hundred miles, seventeen cents.

Over three hundred, and not exceeding five hundred miles, twenty cents.

Over five hundred miles, twenty-five cents.

And for every double letter, or one composed of two pieces of paper, double those rates; one for every triple letter, or one composed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or other thing, and weighing one ounce avoirdupois, quadruple those rates, and in that proportion for all greater weight: *Provided*, that no packet of letters conveyed by the water mails shall be charged with more than quadruple postage, unless the same shall actually contain more than four distinct letters. No postmaster shall be obliged to receive, to be conveyed by the mail, any packet which shall weigh more than three pounds.

Packets containing more than 3 lbs. may not be carried.

Sec. 8. *And be it further enacted*, That every letter or packet brought into the United States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post-office where the same shall arrive, and if destined to be conveyed by post to any other place, with two cents added to the ordinary rates of postage.

Penalty on fraudulently receiving illegal postage, &c.

Sec. 9. *And be it further enacted*, That if any postmaster, or other person authorized by the postmaster-General to receive the postages of letters, shall fraudulently demand or receive any rate of postage, or gratuity, or reward, other than is provided by this act, for the postage of letters or packets, on conviction thereof, he shall forfeit for every such offence, one hundred dollars, and shall be rendered incapable of holding any office or appointment under the United States.

Masters of vessels to deliver letters into the post-office.

Sec. 10. *And be it further enacted*, That no ship or vessel arriving at any port within the United States, where a post-office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster, all letters directed to any person or persons within the United States, which under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel, and except also such as are directed to be delivered at the port of delivery, to which such ship or vessel may be bound. And it shall be the duty of the collector, or other officer of the port empowered to receive entries of ships or vessels, to require from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid.

Masters of vessels allowed two cents for each letter.

Sec. 11. *And be it further enacted*, That the postmasters to whom such letters may be delivered, shall pay to the master or commander, or other person delivering the same, except the commanders of foreign packets, two cents for each letter or packet, and shall obtain from the person delivering the same, a certificate specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be with his quarterly accounts, transmitted to the Postmaster-General, who shall credit him with the amount.

Penalty on persons, not authorized, carrying letters, &c.

Sec. 12. *And be it further enacted*, That if any person, other than the Postmaster-General, or his deputies, or persons by them employed, shall be concerned in setting up or maintaining any foot or horse post, stage-waggon, or other stage carriage, on any established post-road, or from one post-town to another post-town on any road adjacent or parallel to an established post-road, or any packet-boat or other vessel, to ply regularly from one place to another between which a regular communication by water shall be established by the United States, and shall receive any letter or packet, other than newspapers, magazines, or pamphlets, and carry the same by such foot or horse post, stage-

waggon, or other ſtage-carriage, packet-boat, or veſſel, excepting only ſuch letter or letters as may be directed to the owner or owners of ſuch conveyance, and relating to the ſame, or to the perſon to whom any package or bundle in ſuch conveyance is intended to be delivered, every perſon ſo offending ſhall forfeit, for every ſuch offence, the ſum of fifty dollars: *Provided*, that it ſhall be lawful for any perſon to ſend letters or packets by a ſpecial meſſenger.

Way letters.

Sec. 13. *And be it further enacted*, That the deputy poſtmaſters, and other agents of the Poſtmaſter-General, ſhall duly account and anſwer to him, for all way letters which ſhall come to their hands: and for this purpoſe, the poſt-riders, and other carriers of the mail, receiving any way letter or letters (and it ſhall be their duty to receive them, if preſented more than two miles from a poſt-office) ſhall deliver the ſame, together with the poſtage, if paid, at the firſt poſt-office to which they ſhall afterwards arrive, where the poſtmaſter ſhall duly enter the ſame, and ſpecify the number, and rate or rates in the poſt-bill, adding to the rate of each way letter, one cent, which ſhall be paid by the poſtmaſter to the mail-carrier from whom ſuch way letter ſhall be received. And that letters directed to perſons living between poſt-offices may be delivered, and the poſtage thereof duly collected, it ſhall be the duty of the carriers of the mail to take charge of, and deliver all ſuch letters as ſhall, for that purpoſe, be committed to them, by any poſtmaſter, and collect the poſtage thereof, which ſhall be paid over to ſuch poſtmaſter on demand. And for every letter ſo delivered, the mail-carrier delivering the ſame ſhall be allowed to demand and receive two cents to his own uſe, beſides the ordinary poſtage. And if any poſtmaſter, or other agent of the Poſtmaſter-General, ſhall neglect ſo to account, he or they ſo offending, ſhall, on conviction thereof, forfeit, for every ſuch offence, a ſum not exceeding fifty dollars: *Provided*, that no mail-carriers ſhall make ſuch deliveries at any place not on the poſt-road: *Provided alſo*, that the receipt and delivery of letters on the way, between poſt-offices, ſhall not be required of the

mail-carriers in cases where, in the opinion of the Postmaster-General, the time or manner of carrying the mail, or the speed of conveyance is incompatible with such receipts and deliveries.

Penalty on detaining, delaying or embezzling letters.

Sec. 14. *And be it further enacted*, That if any person employed in any of the departments of the general post-office, shall unlawfully detain, delay or open any letter, packet, bag or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and which are intended to be conveyed by post, or if any such person shall secrete, embezzle or destroy any letter or packet entrusted to him as aforesaid, and which shall not contain any security for, or assurance relating to money, as herein-after described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person employed as aforesaid, shall secrete, embezzle, or destroy any letter, packet, bag or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and are intended to be conveyed by post, containing any bank note, or bank post-bill, bill of exchange, warrant of the Treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for, or relating to payment of monies, or any bond or warrant, draft, bill or promissory note whatsoever, for the payment of money; or if any such person, employed as aforesaid, shall steal or take any of the same out of any letter, packet, bag or mail of letters, that shall come to his possession, he shall, on conviction for any such offence, be

publicly whipped, not exceeding forty ſtripes, and be impriſoned not exceeding ten years. And if any perſon, who ſhall have taken charge of the mail of the United States, ſhall quit or deſert the ſame, before his arrival at the next poſt-office, every ſuch perſon ſo offending, ſhall forfeit and pay a ſum not exceeding five hundred dollars for every ſuch offence. And if any perſon concerned in carrying the mail of the United States, ſhall collect, receive or carry any letter or packet, or ſhall cauſe or procure the ſame to be done, contrary to this act, every ſuch offender ſhall forfeit and pay, for every ſuch offence, a ſum not exceeding fifty dollars.

Penalty on carriers deſerting the mail; or carrying letters contrary to law.

Sec. 15. *And be it further enacted*, That if any perſon ſhall rob any carrier of the mail of the United States, or other perſon entruſted therewith, of ſuch mail, or of part thereof, ſuch offender or offenders ſhall, on conviction, be publicly whipped, not exceeding forty laſhes, and be impriſoned not exceeding ten years; and if convicted a ſecond time of a like offence, he or they ſhall ſuffer death: Or if in effecting ſuch robbery of the mail, the firſt time, the offender ſhall much wound the perſon having cuſtody thereof, or put his life in jeopardy, by the uſe of dangerous weapons, ſuch offender or offenders ſhall ſuffer death. And if any perſon ſhall attempt to rob the mail of the United States, by falling upon the perſon having cuſtody thereof, ſhooting at him or his horſes, or threatening him with dangerous weapons, and the robbery is not effected, every ſuch offender, on conviction thereof, ſhall be puniſhed by whipping, not exceeding thirty laſhes, or with impriſonment, not exceeding two years, or with both, according to the diſcretion of the court before whom ſuch conviction is had. And if any perſon ſhall ſteal the mail, or ſhall ſteal or take from or out of any mail, or from or out

Penalty on robbing the mail carriers, or attempting it;

or ſtealing the mail, &c.

of any poſt-office, any letter or packet, or if any perſon ſhall take the mail, or any letter or packet therefrom or from any poſt-office, whether with or without the conſent of the perſon having cuſtody thereof, and ſhall open, embezzle, or deſtroy any ſuch mail, letter or packet, the ſame containing any article of value, or evidence of any debt, due, demand, right or claim, or if any perſon ſhall, by fraud or deception, obtain from any perſon having cuſtody thereof, any mail, letter or packet, containing any article of value, or evidence thereof, ſuch offender or offenders, on conviction thereof, ſhall be whipped, not exceeding thirty laſhes, or impriſoned, not exceeding two years, or both, at the diſcretion of the court before whom ſuch conviction is had. And if any perſon ſhall take any letter or packet, not containing any article of value or evidence thereof out of a poſt-office, or ſhall open any letter or packet which ſhall have been in a poſt-office, or in the cuſtody of a mail carrier, before it ſhall have been delivered to the perſon to whom it is directed, with deſign to obſtruct the correſpondence, to pry into another's buſineſs, or ſecrets, or ſhall ſecrete, embezzle or deſtroy any ſuch mail, letter or packet, ſuch offender, upon conviction, ſhall pay for every ſuch offence a ſum not exceeding one hundred dollars. *Provided alſo, and be it further enacted*, That every perſon who ſhall be impriſoned by a judgment of court under the 14th and 15th ſections of this act, ſhall be kept at hard labor during the period of ſuch impriſonment.

Penalty on taking away or opening letters.

Proviſo.

Sec. 16. *And be it further enacted*, That the poſtmaſters ſhall, reſpectively, publiſh at the expiration of every three months, or oftener, when the Poſtmaſter-General ſhall ſo direct, in one of the newſpapers publiſhed at or neareſt the place of his reſidence, for three ſucceſſive

Letters on hand to be advertiſed.

weeks, a list of all the letters remaining in their respective offices, or instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and at the expiration of the next three months, shall send such of the said letters, as then remain on hand as dead letters, to the general post-office, where the same shall be opened and inspected; and if any valuable papers or matter of consequence shall be found therein, it shall be the duty of the Postmaster-General to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner, if within the United States; and such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expence of publication. And if such letter with its contents, be not demanded by the person to whom it is addressed, or the owner thereof, or his lawful agent, within two years after the advertisement thereof as aforesaid, the said contents shall be applied to the use of the United States, until the same shall be reclaimed by the proprietor thereof. The manner of such application to be specially stated by the Postmaster-General to the Secretary of the Treasury.

Dead letters.

Sec. 17. *And be it further enacted*, That letters and packets to and from the following officers of the United States, shall be received and conveyed by post, free of postage. Each postmaster, provided each of his letters or packets shall not exceed half an ounce in weight, each member of the Senate and House of Representatives of the Congress of the United States—

Free letters and newspapers.

the Secretary of the Senate and Clerk of the Houſe of Repreſentatives, provided each letter or packet ſhall not exceed two ounces in weight, and during their actual attendance in any ſeſſion of Congreſs, and twenty days after ſuch ſeſſion; the Preſident of the United States; Vice-Preſident; the Secretary of the Treaſury; Comptroller; Auditor; Regiſter Treaſurer; Commiſſioner of the Revenue; Superviſors of the Revenue; Inſpectors of the Revenue; Commiſſioners for direct taxes; Purveyor; the Secretary of War; Accountant of the War-Office; the Secretary of State; the Secretary of the Navy, and Accountant of the Navy; the Poſtmaſter-General; Aſſiſtant Poſtmaſter-General: And they may all receive their newſpapers by poſt, free of poſtage: *Provided*, That the members of the Senate and Houſe of Repreſentatives, Secretary of the Senate, and Clerk of the Houſe of Repreſentatives ſhall receive their newſpapers free of poſtage only during any ſeſſion of Congreſs, and twenty days after the expiration of the ſame: *And provided*, that no letter or packet from any public officer ſhall be conveyed by poſt, free of poſtage, unleſs he ſhall frank the ſame, by writing his name and office on the outſide of ſuch letter or packet, and until he has previouſly furniſhed the poſtmaſter of the office where he ſhall depoſit the ſame, with a ſpecimen of his ſignature: *Provided alſo*, that all letters and packages to and from George Waſhington, late Preſident of the United States, ſhall continue to be received and conveyed by poſt, free of poſtage.

Manner of franking letters.

Sec. 18. *And be it further enacted*, That if any perſon ſhall frank letters other than thoſe written by himſelf, or by his order, on the buſineſs of his office, he ſhall, on conviction thereof, pay a fine of ten dollars: *Provided*, that the Secretary of the Treaſury, Secretary of State,

Penalty on franking letters improperly.

Secretary of War, Secretary of the Navy, and Poſtmaſter-General, may frank letters or packets on official buſineſs, prepared in any other public office, in the abſence of the principal thereof. And if any perſon having the right to receive his letters free of poſtage, ſhall receive encloſed to him any letter or packet addreſſed to a perſon not having that right, it ſhall be his duty to return the ſame to the poſt-office, marking thereon the place from whence it came, that it may be charged with poſtage.

Penalty on counterfeiting a frank.

And if any perſon ſhall counterfeit the handwriting or frank of any perſon, or cauſe the ſame to be done in order to evade the payment of poſtage, each perſon ſo offending ſhall pay for every ſuch offence fifty dollars.

Newſpapers may go free to printers.

Sec. 19. *And be it further enacted*, That every printer of newſpapers may ſend one paper to each and every other printer of newſpapers within the United States, free of poſtage, under ſuch regulations as the Poſtmaſter-General ſhall provide,

Manner of ſending newſpapers by the mail, and rates of poſtage.

Sec. 20. *And be it further enacted*, That all newſpapers conveyed in the mail ſhall be under cover, open at one end, and charged with a poſtage of one cent each for any diſtance not more than one hundred miles, and one and an half cents for any greater diſtance: *Provided*, that the poſtage of a ſingle newſpaper from any one place to another in the ſame ſtate, ſhall not exceed one cent; and that the Poſtmaſter-General may make ſuch regulations as to require thoſe who receive newſpapers by poſt, to pay always the amount of one quarter's poſtage in advance.

Offences in relation to newſpapers.

If any perſon employed in any department of the poſt-office ſhall improperly detain, delay, embezzle or deſtroy any newſpaper, or ſhall permit any other perſon to do the like, or ſhall open or permit any other to open any mail or

packet of newſpapers not directed to the office where he is employed, he ſhall, on conviction thereof, forfeit a ſum not exceeding fifty dollars for every ſuch offence. And if any other perſon ſhall open any mail or packet of newſpapers, or ſhall embezzle or deſtroy the ſame, not being directed to himſelf, or not being authoriſed to receive and open the ſame, he ſhall, on conviction thereof, pay a ſum not exceeding twenty dollars for every ſuch offence. And if any perſon ſhall take or ſteal any packet, bag or mail of newſpapers from or out of any poſt-office, or from any perſon having cuſtody thereof, ſuch perſon ſhall, on conviction, be impriſoned, not exceeding three months for every ſuch offence, to be kept at hard labour, during the period of ſuch impriſonment.

Concealing letters, &c. in newſpapers.

If any perſon ſhall encloſe or conceal a letter or other thing, or any memorandum in writing in a newſpaper, or among any package of newſpapers, which he ſhall have delivered into any poſt-office, or to any perſon for that purpoſe, in order that the ſame may be carried by poſt, free of letter poſtage, he ſhall forfeit the ſum of five dollars for every ſuch offence: and the letter, newſpaper, package, memorandum, or other thing, ſhall not be delivered to the perſon to whom it is directed, until the amount of ſingle letter poſtage is paid for each article of which the package ſhall be compoſed.

Newſpapers to be dried, &c.

No newſpapers ſhall be received by the poſtmaſters to be conveyed by poſt, unleſs they are ſufficiently dried and encloſed in proper wrappers, on which, beſides the direction, ſhall be noted the number of papers which are encloſed for ſubſcribers, and the number for printers.

Poſtmaſter Gen. may authorize certain perſons to

The Poſtmaſter-General, in any contract he may enter into for the conveyance of the mail, may authoriſe the perſon with whom ſuch contract is to be made, to carry newſpapers, maga-

carry newſpapers, &c.

zines and pamphlets other than thoſe conveyed in the mail.

Conveyance of magazines and pamphlets.

When the mode of conveyance, and the ſize of the mails will admit of it, magazines and pamphlets may be tranſported in the mail at one cent a ſheet for any diſtance not exceeding fifty miles, at one cent and an half for any diſtance over fifty and not exceeding one hundred miles, and two cents for any greater diſtance.

Commiſſions and allowance to poſtmaſters.

Sec. 21. *And be it further enacted*, That the Poſtmaſter-General be authoriſed to allow to the poſtmaſters, reſpectively, ſuch commiſſion on the monies ariſing from the poſtages of letters and packets as ſhall be adequate to their reſpective ſervices and expences: *Provided*, that the ſaid commiſſion ſhall not exceed thirty per cent. on the firſt hundred dollars collected in one quarter, and twenty-five per cent. on a ſum over one hundred, and not more than three hundred; and twenty per cent. on any ſum over four hundred and not exceeding two thouſand dollars; and eight per cent. on any ſum collected, being over two thouſand four hundred dollars; except to the poſtmaſters, who may be employed in receiving and diſpatching foreign mails, whoſe compenſation may be augmented, not exceeding twenty-five dollars in one quarter, and excepting to the poſtmaſters, at offices where the mail is regularly to arrive between the hours of nine o'clock at night, and five o'clock in the morning; whoſe commiſſion on the firſt hundred dollars collected in one quarter, may be increaſed to a ſum not exceeding fifty per cent. The Poſtmaſter-General may allow to the poſtmaſters reſpectively, a commiſſion of fifty per cent. on the monies ariſing from the poſtages of newſpapers, magazines and pamphlets; and to the poſtmaſters, whoſe compenſation ſhall not ex

eed five hundred dollars, in one quarter, two ents for every free letter delivered out of the ffice, excepting ſuch as are for the poſtmaſter imſelf; and each poſtmaſter, who ſhall be re-uired to keep a regiſter of the arrival and eparture of the mails, ſhall be allowed ten ents for each monthly return which he makes ereof to the General-Poſt-Office.

Poſtmaſters, &c. refuſing to account and pay over.

Sec. 22. *And be it further enacted*, That if any oſtmaſter, or other perſon authoriſed to re-eive the poſtages of letters and packets, ſhall eglect or refuſe to render his accounts, and y over to the Poſtmaſter-General the balance y him due at the end of every three months, ſhall be the duty of the Poſtmaſter-General cauſe a ſuit to be commenced againſt the erſon or perſons ſo neglecting or refuſing: and the Poſtmaſter-General ſhall not cauſe ſuch it to be commenced within ſix months from e end of every ſuch three months, the ba-nces due from every ſuch delinquent ſhall be arged to and recoverable from the Poſtmaſ-r-General.

In what name ſuits ſhall be.

That all ſuits which ſhall be hereafter com-enced for the recovery of debts or balances e to the general-poſt-office, whether they ap-ar by bond or obligations made in the name the exiſting or any preceding Poſtmaſter-eneral, or otherwiſe, ſhall be inſtituted in the me of the "Poſtmaſter-General of the Uni-States."

Certified copies of accounts, evidence.

That certified copies under the ſeal of the eral poſt-office, of the accounts current of ſeveral poſtmaſters, after the ſame ſhall have n examined and adjuſted at that office, ſhall admitted as evidence in all ſuits brought by Poſtmaſter-General for the recovery of ba-ces or debts due from poſtmaſters, and in manner copies of ſuch accounts current as lodged in the office of the Regiſter of the

Treaſury, certified by the Regiſter under the ſeal of his office, ſhall be admitted as evidence.

Penalty on not accounting.

Sec. 23. *And be it further enacted*, That if any poſtmaſter, or other perſon, who ſhall receive and open, or diſpatch mails, ſhall neglect to render accounts thereof for one month after the time, and in the form and manner preſcribed by law, and by the Poſtmaſter-General's inſtructions conformable therewith, he ſhall forfeit double the value of the poſtages which ſhall have ariſen at the ſame office in any equal portion of time previous or ſubſequent thereto; or in caſe no accounts ſhall have been rendered at the time of trial of ſuch caſe, then ſuch ſum as the court and jury ſhall eſtimate equivalent thereto, to be recovered by the Poſtmaſter-General in an action on the caſe.

Diſtribution of penalties.

Sec. 24. *And be it further enacted*, That all pecuniary penalties and forfeitures incurred under this act, ſhall be, one half for the uſe of the perſon or perſons informing and proſecuting for the ſame, and the other half to the uſe of the United States.

Poſtmaſter Gen. may provide for the receipt of letters to be conveyed by ſea.

Sec. 25. *And be it further enacted*, That it ſhall be lawful for the Poſtmaſter-General to make proviſion, where it may be neceſſary, for the receipt of all letters and packets intended to be conveyed by any ſhip or veſſel beyond ſea or from any port in the United States to another port therein; and the letters ſo received ſhall be formed into a mail, ſealed up, and directed to the poſtmaſter of the port to which ſuch ſhip or veſſel ſhall be bound. And for every letter or packet ſo received, there ſhall be paid, at the time of its reception, a poſtage of one cent, which ſhall be for the uſe of the poſtmaſters reſpectively receiving the ſame. And

He may make arrangements with foreign poſtmaſters.

the Poſtmaſter-General may make arrangements with the poſtmaſters in any foreign country

for the reciprocal receipt and delivery of letters and packets through the poſt-offices.

Exemptions of poſtmaſters, &c.

Sec. 26. *And be it further enacted*, That the poſtmaſters, and the perſons employed in the tranſportation of the mail, ſhall be exempt from militia duties, and ſerving on juries, or any fine or penalty for neglect thereof.

Letter carriers.

Sec. 27. *And be it further enacted*, That letter carriers ſhall be employed at ſuch poſt-offices as the Poſtmaſter-General ſhall direct, for the delivery of letters in the places reſpectively where ſuch poſt-offices are eſtabliſhed; and for the delivery of each ſuch letter, the letter carrier may receive of the perſon to whom the delivery is made, two cents: *Provided*, That no letter ſhall be delivered to ſuch letter carrier for diſtribution, addreſſed to any perſon who ſhall have lodged at the poſt-office a written requeſt that his letters ſhall be detained in the office. And for every letter lodged at any poſt-office, not to be carried by poſt, but to be delivered at the place where it is to be ſo lodged, the poſtmaſter ſhall receive one cent of the perſon to whom it ſhall be delivered.

Before whom ſuits and proſecutions may be commenced.

Sec. 28. *And be it further enacted*, That all cauſes of action ariſing under this act may be ſued, and all offenders againſt this act may be proſecuted, before the juſtices of the peace, magiſtrates, and other judicial courts of the ſeveral ſtates, and of the ſeveral territories of the United States, they having competent juriſdiction by the laws of ſuch ſtates or territories, to the trial of claims and demands of as great value, and of proſecutions where the puniſhments are of as great extent; and ſuch juſtices, magiſtrates, or judiciary, ſhall take cognizance thereof, and proceed to judgment and execution as in other caſes.

Judgment to be rendered the firſt term.

Sec. 29. *And be it further enacted*, That in all ſuits for cauſes ariſing under this act, the

court ſhall proceed to trial, and render judgment the firſt term after ſuch ſuit ſhall be commenced: *Provided always*, That whenever ſervice of the proceſs ſhall not have been made twenty days at leaſt previous to the return day of ſuch term, the defendant ſhall be entitled to one continuance, if the court on the ſtatement of ſuch defendant ſhall judge it expedient: *Provided alſo*, That if the defendant in ſuch ſuits ſhall make affidavit that he has a claim againſt the general poſt-office, not allowed by the Poſtmaſter-General, although ſubmitted to him conformable to the regulations of the poſt-office, and ſhall ſpecify ſuch claim in the affidavit, and that he could not be prepared for the trial at ſuch term for want of evidence, the court in ſuch caſe, being ſatisfied in thoſe reſpects, may grant a continuance until the next ſucceeding term.

In certain caſes a continuance may be had.

Sec. 30. *And be it further enacted*, That it ſhall be the duty of the Poſtmaſter-General to report annually to Congreſs every poſt-road which ſhall not, after the ſecond year from its eſtabliſhment, have produced one-third of the expenſe of carrying the mail on the ſame.

Report to be made of certain poſt-roads.

Sec. 31. *And be it further enacted*, That from and after the laſt day of April next, the ſeveral clauſes and proviſions, excepting the firſt and ſecond ſections thereof, of an act, entitled "An act to eſtabliſh the poſt-office and poſt-roads within the United States," and the ſeveral clauſes, proviſions and ſections of an act (excepting the firſt and ſecond ſections thereof) entitled "An act, in addition to an act, entitled, 'An act to eſtabliſh the poſt-office and poſt-roads within the United States," approved the third of March, one thouſand ſeven hundred and ninety ſeven, ſhall be, and the ſame are hereby repealed. *Provided*, that nothing herein contained ſhall be conſtrued to exonerate any

Repeal of parts of former acts.

person who shall not have performed the duty, or who shall have violated any of the prohibitions contained in the said acts, from suits or prosecutions; but as to all bonds, contracts, debts, demands, rights, penalties, punishments, which have been made, have arisen, or have been incurred, or which shall be made, arise, or be incurred previous to the first day of May next, the said acts shall have the same force and effect as though this act had not been made. *Provided also*, that the Postmaster-General, deputy postmasters, contractors for carrying the mail, and others employed under the aforesaid acts, shall continue to hold their several offices, appointments and trusts, until they are otherwise removed; any thing herein contained that might be construed to the contrary notwithstanding; and also the bonds which they, or either of them, have or may give for the faithful execution of their several duties and offices, shall continue to have the same force and effect, to all intents and purposes, after the said first day of May next, as though this act had not been made.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate, pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS, *President of the United States.*

CHAPTER CL.

An act making appropriations for the support of the military establishment, for the year one thousand seven hundred and ninety-nine.

SEC. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the support of the military establishment of the

Specific appropriations.

United States, for the year one thouſand ſeven hundred and ninety-nine; the pay and ſubſiſtence of the officers and men; bounties and premiums; the cloathing, hoſpital, ordnance, quarter-maſter's, and Indian departments; the defenſive protection of the frontiers; the contingent expenſes of the war department, and the payment of military penſions, the ſum of one million five hundred and forty-ſeven thouſand ſeven hundred and nineteen dollars, be and hereby is appropriated; that is to ſay:

For the pay of the army of the United States, the ſum of four hundred and forty-five thouſand two hundred and twenty-four dollars:

For the ſubſiſtence of the officers of the army, fifty-ſix thouſand three hundred and ſeventy-ſix dollars:

For the ſubſiſtence of the non-commiſſioned officers and privates, the ſum of three hundred and ſeventy-one thouſand ſeven hundred and eighty-nine dollars:

For forage, the ſum of ſeventeen thouſand one hundred and ſixty dollars:

For equipments for one company of cavalry, two thouſand one hundred and forty dollars:

For horſes for the cavalry, to replace thoſe which may die, or become unfit for ſervice, the ſum of four thouſand five hundred dollars:

For cloathing, the ſum of one hundred and twenty-ſeven thouſand four hundred and fifty dollars:

For bounties and premiums, the ſum of five thouſand dollars:

For the hoſpital department, the ſum of twelve thouſand dollars:

For the ordnance department, the ſum of eighty-one thouſand one hundred and eight dollars:

For the quarter-maſter's department, the ſum of two hundred thouſand dollars:

For the Indian department, the following sums, that is to say: Specific appropriations.

For promoting civilization among the Indian tribes, and pay of temporary agents, the sum of fifteen thousand dollars:

For the expense attending the running of the line of demarkation between the Indian territory and the United States, including the pay of commissioners, surveyors, and assistants, the sum of four thousand dollars:

For contingent expenses for presents to Indians, on their visits to the seat of government, expenses attending their journies, and during their stay at the seat of government, the sum of ten thousand dollars:

For rations to Indians at the different military posts, and within their respective nations, the sum of twenty-two thousand five hundred dollars:

For the defensive protection of the frontiers of the United States, including the erection and repair of forts and fortifications, the sum of sixty thousand dollars:

For loss of stores, allowances to officers on being ordered to distant commands, and for special purposes, advertising and apprehending deserters, printing, purchasing of maps, and other contingencies, the sum of twenty thousand dollars:

For the annual allowance to the invalids of the United States, for their pensions from the fifth day of March, one thousand seven hundred and ninety-nine, to the fourth day of March, one thousand eight hundred, the sum of ninety-three thousand four hundred dollars.

Sec. 2. *And be it further enacted*, That for the additional army of the United States, the following sums, including the sum of nine hundred thousand dollars, already appropriated on

Specific appropriations.

account, be, and are hereby, reſpectively, appropriated, that is to ſay:

For the pay and ſubſiſtence of the officers, non-commiſſioned officers, and privates, the ſum of one million ſix hundred thouſand four hundred and forty-three dollars:

For forage, the ſum of forty-five thouſand four hundred and ſeventy-eight dollars:

For bounties and premiums, the ſum of one hundred and thirty-five thouſand and ſixteen dollars:

For cloathing, two hundred and forty-one thouſand one hundred dollars:

For the expenſe of horſes and equipments for the dragoons, the ſum of fifty-eight thouſand ſeven hundred and ninety-three dollars:

For the hoſpital department, the ſum of forty thouſand dollars:

For the quarter-maſter's department, the ſum of ſix hundred thouſand dollars:

For contingent expenſes, the ſum of twenty thouſand dollars.

How the appropriations are to be paid.

Sec. 3. *And be it further enacted*, That the foregoing appropriations ſhall be paid out of any monies in the Treaſury of the United States, not otherwiſe appropriated.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate, pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS, *President of the United States.*

CHAPTER CLI.

An act veſting the power of retaliation, in certain caſes, in the Preſident of the United States.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That on information being given to the Preſident of the United

States, proving satisfactorily to him that any citizen of the United States, who shall have been or may be found on board any vessel of war of either of the powers at war with the French Republic, and who shall have been impressed or forced by violence or threats to enter on board such vessel, hath suffered death, or hath received other corporal punishment, or shall be imprisoned with unusual severity by order of the Executive Directory of the French Republic, or of any officer or agent acting under their authority in pursuance of any decree of the said Directory, or law of the French Republic; it shall be lawful for the President of the United States, and he is hereby empowered and required to cause the most rigorous retaliation to be executed on any such citizens of the French Republic, as have been or hereafter may be captured in pursuance of any of the laws of the United States.

JONATHAN DAYTON, *Speaker of the House of Representatives.*
JAMES ROSS, *President, pro tempore, of the Senate.*

APPROVED, March 3, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CLII.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

SEC. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following boundary line, established by treaty between the United States and various Indian tribes, shall be clearly ascertained, and distinctly marked, in all such places, as the President of the United States shall deem necessary, and in such manner as he shall direct, to wit: Begin- The Indian boundary to be marked.

Indian boundary.

ning at the mouth of the Cayahoga river on Lake Erie, and running thence up the ſame, to the portage between that and the Tuſcarora branch of the Muſkingum; thence, down that branch, to the croſſing place above Fort Lawrence; thence, weſtwardly to a fork of that branch of the Great Miami river running into the Ohio, at, or near which fork, ſtood Laromie's ſtore, and where commences the portage, between the Miami of the Ohio, and Saint Mary's river, which is a branch of the Miami, which runs into Lake Erie; thence a weſtwardly courſe to Fort Recovery, which ſtands on a branch of the Wabaſh; thence ſouth-weſtwardly, in a direct line to the Ohio, ſo as to interſect that river, oppoſite the mouth of Kentucky or Cuttawa river; thence down the ſaid river Ohio, to the tract of one hundred and fifty thouſand acres near the rapids of the Ohio, which has been aſſigned to General Clarke, for the uſe of himſelf and his warriors; thence around the ſaid tract, on the line of the ſaid tract, till it ſhall again interſect the ſaid river Ohio; thence down the ſame, to a point oppoſite the high lands or ridge between the mouth of the Cumberland and Tenneſſee rivers; thence ſouth-eaſtwardly on the ſaid ridge, to a point from whence a ſouth-weſt line will ſtrike the mouth of Duck river; thence ſtill eaſtwardly on the ſaid ridge, to a point forty miles above Naſhville; thence north-eaſt, to Cumberland river; thence up the ſaid river, to where the Kentucky road croſſes the ſame; thence to the Cumberland mountain, at the point of Campbell's line; thence in a ſouth-weſtwardly direction along the foot of the Cumberland mountains to Emory's river; thence down the ſame to its junction with the river Clinch; thence down the river Clinch to Hawkins's line; thence along the ſame to a white oak, marked one mi

Indian boundary.

ree; thence ſouth fifty-one degrees weſt, three undred and twenty-eight chains to a large aſh ree on the bank of the river Tenneſſee, one mile elow ſouth-weſt point; thence up the north-aſt margin of the river Tenneſſee (not includ-ng iſlands) to the Wild Cat Rock below Tellico lock-houſe; thence in a direct line to the Mili-a Spring near the Maryville road leading from ellico; thence from the ſaid Spring to the hilhowee mountain by a line ſo to be run, as ill leave all the farms on Nine--mile creek to he northward and eaſtward of it, and to be ontinued along the Chilhowee mountain until ſtrikes Hawkins's line; thence along the ſaid ne to the Great Iron mountain; and from the op of which a line to be continued in a ſouth-aſtwardly courſe to where the moſt ſouthern anch of Little river croſſes the diviſional line Tugaloo river; thence along the South-Caro-na Indian boundary, to and over the Ocunna ountain, in a ſouth-weſt courſe to Tugaloo ver; thence in a direct line to the top of urrahee mountain, where the Creek line paſſes ; thence to the head or ſource of the main outh branch of the Oconee river, called the ppalachee; thence down the middle of the id main ſouth branch and river Oconee, to its onfluence with Oakmulgee, which forms the ver Altamaha; thence down the middle of the id Altamaha, to the old line on the ſaid river; nd thence along the ſaid old line to the river aint Mary's: *Provided always*, That if the oundary line between the ſaid Indian tribes nd the United States, ſhall, at any time here-ter, be varied, by any treaty which ſhall be ade between the ſaid Indian tribes and the nited States, then all the proviſions contained this act ſhall be conſtrued to apply to the ſaid ne ſo to be varied, in the ſame manner, as ſaid

The proviſions of this act are to apply to any future variations of the boundary.

provisions apply by force of this act to the boundary line herein-before recited.

Penalty on crossing the boundary for certain purposes.

Sec. 2. *And be it further enacted*, That if any citizen of, or other person resident in the United States, or either of the territorial districts of the United States, shall cross over, or go within the said boundary line, to hunt, or in any wise destroy the game; or shall drive, or otherwise convey any stock of horses or cattle to range, on any lands allotted or secured by treaty with the United States, to any Indian tribes, he shall forfeit a sum not exceeding one hundred dollars, or be imprisoned not exceeding six months.

Penalty on going on the Indian lands south of the Ohio, without a passport.

Sec. 3. *And be it further enacted*, That if any such citizen, or other person, shall go into any country, which is allotted, or secured by treaty as aforesaid, to any of the Indian tribes south of the river Ohio, without a passport first had and obtained from the governor of some one of the United States, or the officer of the troops of the United States commanding at the nearest post on the frontiers, or such other person, as the President of the United States may from time to time authorize to grant the same, shall forfeit a sum not exceeding fifty dollars, or be imprisoned not exceeding three months.

Penalty on committing crimes in the Indian territory, or being found therein with an hostile intention.

Sec. 4. *And be it further enacted*, That if any such citizen or other person, shall go into any town, settlement or territory, belonging, or secured by treaty with the United States, to any nation or tribe of Indians, and shall there commit robbery, larceny, trespass or other crime, against the person or property of any friendly Indian or Indians, which would be punishable, if committed within the jurisdiction of any state, against a citizen of the United States; or, unauthorized by law, and with a hostile intention, shall be found on any Indian land, such offender

ſhall forfeit a ſum not exceeding one hundred dollars, and be impriſoned not exceeding twelve months; and ſhall alſo, when property is taken or deſtroyed, forfeit and pay to ſuch Indian or Indians, to whom the property taken and deſtroyed belongs, a ſum equal to twice the juſt value of the property ſo taken or deſtroyed: And if ſuch offender ſhall be unable to pay a ſum at leaſt equal to the ſaid juſt value, whatever ſuch payment ſhall fall ſhort of the ſaid juſt value, ſhall be paid out of the Treaſury of the United States: *Provided neverthelefs*, That no ſuch Indian ſhall be entitled to any payment out of the Treaſury of the United States, for any ſuch property taken or deſtroyed, if he, or any of the nation to which he belongs, ſhall have ſought private revenge, or attempted to obtain ſatisfaction by any force or violence.

Penalty on perſons ſetling or ſurveying Indian lands.

Sec. 5. *And be it further enacted*, That if any ſuch citizen, or other perſon, ſhall make a ſettlement on any lands belonging, or ſecured, or granted by treaty with the United States, to any Indian tribe, or ſhall ſurvey, or attempt to ſurvey, ſuch lands, or deſignate any of the boundaries, by marking trees, or otherwiſe, ſuch offender ſhall forfeit all his right, title and claim, if any he hath, of whatſoever nature or kind the ſame ſhall or may be, to the lands aforeſaid, wherupon he ſhall make a ſettlement, or which he ſhall ſurvey, or attempt to ſurvey, or deſignate any of the boundaries thereof, by marking trees or otherwiſe, and ſhall alſo forfeit a ſum not exceeding one thouſand dollars, and ſuffer impriſonment, not exceeding twelve months.

Military force may be uſed to remove ſuch intruders.

And it ſhall, moreover, be lawful for the Preſident of the United States to take ſuch meaſures and to employ ſuch military force, as he may judge neceſſay, to remove from lands belonging, or ſecured by treaty, as aforeſaid, to any Indian tribe, any ſuch citizen or other per-

ſon, who has made or ſhall hereafter make, or attempt to make a ſettlement thereon: And every right, title, or claim forfeited under this act, ſhall be taken and deemed to be veſted in the United States, upon conviction of the offender, without any other or further proceeding.

Forfeited rights to accrue to the United States.

Sec. 6. *And be it further enacted*, That if any ſuch citizen, or other perſon, ſhall go into any town, ſettlement or territory belonging to any nation or tribe of Indians, and ſhall there commit murder, by killing any Indian or Indians belonging to any nation or tribe of Indians in amity with the United States, ſuch offender, on being thereof convicted, ſhall ſuffer death.

Penalty on killing an Indian within their territory.

Sec. 7. *And be it further enacted*, That no ſuch citizen, or other perſon, ſhall be permitted to reſide at any of the towns, or hunting camps, of any of the Indian tribes as a trader, without a licenſe under the hand and ſeal of the ſuperintendant of the department, or of ſuch other perſon as the Preſident of the United States ſhall authorize to grant licenſes for that purpoſe: Which ſuperintendant, or perſon authorized, ſhall, on application, iſſue ſuch licenſe, for a term not exceding two years, who ſhall enter into bond with one or more ſureties, approved of by the ſuperintendant, or perſon iſſuing ſuch licenſe, or by the Preſident of the United States, in the penal ſum of one thouſand dollars, conditioned for the true and faithful obſervance of ſuch regulations and reſtrictions, as are, or ſhall be made for the government of trade and intercourſe with the Indian tribes: And the ſuperintendant, or perſon iſſuing ſuch licenſe, ſhall have full power and authority to recall the ſame, if the perſon ſo licenſed ſhall tranſgreſs any of the regulations, or reſtrictions provided for the government of trade and in-

Traders reſiding at Indian towns, &c. to have licenſes.

tercourſe with the Indian tribes; and ſhall put in ſuit ſuch bonds as he may have taken, on the breach of any condition therein contained.

Penalty on trading without a licenſe.

Sec. 8. *And be it further enacted*, That any ſuch citizen or other perſon, who ſhall attempt to reſide in any town, or hunting camp, of any of the Indian tribes, as a trader, without ſuch licenſe, ſhall forfeit all the merchandize offered for ſale, to the Indians, or found in his poſſeſſion, and ſhall, moreover, be liable to a fine not exceeding one hundred dollars, and to impriſonment not exceeding thirty days.

Penalty on purchaſing certain articles from Indians.

Sec. 9. *And be it further enacted*, That if any ſuch citizen, or other perſon, ſhall purchaſe, or receive of any Indian, in the way of trade or barter, a gun, or other article commonly uſed in hunting, any inſtrument of huſbandry, or cooking utenſil, of the kind uſually obtained by the Indians, in their intercourſe with white people, or any article of clothing, excepting ſkins or furs, he ſhall forfeit a ſum not exceeding fifty dollars, and be impriſoned not exceeding thirty days.

Regulations concerning the purchaſe of horſes in the Indian territory.

Sec. 10. *And be it further enacted*, That no ſuch citizen, or other perſon, ſhall be permitted to purchaſe any horſe of an Indian, or of any white man in the Indian territory, without ſpecial licenſe for that purpoſe; which licenſe, the ſuperintendant, or ſuch other perſon, as the Preſident ſhall appoint, is hereby authorized to grant, on the ſame terms, conditions and reſtrictions, as other licenſes are to be granted under this act: And any ſuch perſon, who ſhall purchaſe a horſe or horſes, under ſuch licenſe, before he expoſes ſuch horſe or horſes for ſale, and within fifteen days after they have been brought out of the Indian country, ſhall make a particular return

to the ſuperintendant, or other perſon, from whom he obtained his licenſe, of every horſe purchaſed by him, as aforeſaid; deſcribing ſuch horſes, by their colour, height, and other natural or artificial marks, under the penalty contained in their reſpective bonds. And every ſuch perſon, purchaſing a horſe or horſes, as aforeſaid, in the Indian country, without a ſpecial licenſe, ſhall, for every horſe thus purchaſed, and brought into any ſettlement of citizens of the United States, forfeit a ſum not exceeding one hundred dollars, and be impriſoned not exceeding thirty days. And every perſon, who ſhall purchaſe a horſe, knowing him to be brought out of the Indian territory, by any perſon or perſons, not licenſed, as above, to purchaſe the ſame, ſhall forfeit the value of ſuch horſe.

Penalty on perſons authorized to grant licenſes, being concerned in the Indian trade.

Sec. 11. *And be it further enacted*, That no agent, ſuperintendant, or other perſon authorized to grant a licenſe to trade, or purchaſe horſes, ſhall have any intereſt or concern in any trade with the Indians, or in the purchaſe or ſale of any horſe, to or from any Indian, excepting for, and on account of the United States. And any perſon offending herein, ſhall forfeit a ſum not exceeding one thouſand dollars, and be impriſoned not exceeding twelve months.

Indians may diſpoſe of their lands by treaty only.

Sec. 12. *And be it further enacted*, That no purchaſe, grant, leaſe, or other conveyance of lands, or of any title or claim thereto, from any Indian, or nation or tribe of Indians, within the bounds of the United States, ſhall be of any validity, in law or equity, unleſs the ſame be made by treaty or convention, entered into purſuant to the conſtitution: And it ſhall be a miſdemeanor in any perſon, not employed under the authority of the United States, to negotiate ſuch treaty or convention, directly or in

irectly, to treat with any ſuch Indian nation, r tribe of Indians, for the title or purchaſe of y lands by them held, or claimed, puniſhable y fine not exceeding one thouſand dollars, and nprisonment not exceeding twelve months: *rovided nevertheleſs*, that it ſhall be lawful for e agent or agents of any ſtate, who may be reſent at any treaty held with Indians under e authority of the United States, in the pre- nce, and with the approbation of the commiſ- oner or commiſſioners of the United States, ppointed to hold the ſame, to propoſe to, and djuſt with the Indians, the compenſation to be ade, for their claims to lands within ſuch ate, which ſhall be extinguiſhed by the treaty.

Agents of a ſtate may extinguiſh Indian claims, with the approbation of the commiſſioners of the United States.

Sec. 13. *And be it further enacted*, That in der to promote civilization among the friend- Indian tribes, and to ſecure the continuance their friendſhip, it ſhall be lawful for the Pre- dent of the United States, to cauſe them to be rniſhed with uſeful domeſtic animals, and im- ements of huſbandry, and with goods or mo- y, as he ſhall judge proper, and to appoint ch perſons, from time to time, as temporary ents, to reſide among the Indians, as he ſhall ink fit: *Provided*, that the whole amount of ch preſents, and allowance to ſuch agents, all not exceed fifteen thouſand dollars per num.

The Preſident may cauſe the Indians to be furniſhed with uſeful animals, &c. and appoint agents to reſide among them.

Sec. 14. *And be it further enacted*, That if y Indian or Indians, belonging to any tribe amity with the United States, ſhall come over croſs the ſaid boundary line, into any ſtate territory inhabited by citizens of the United ates, and there take, ſteal or deſtroy any rſe, horſes, or other property, belonging to y citizen or inhabitant of the United States, of either of the territorial diſtricts of the nited States, or ſhall commit any murder, vio- nce or outrage, upon any ſuch citizen or in-

Courſe of proceeding to obtain ſatisfaction for wrongs done by the Indians.

habitant, it ſhall be the duty of ſuch citizen or inhabitant, his repreſentative, attorney or agent, to make application to the ſuperintendant, or ſuch other perſon as the Preſident of the United States ſhall authorize for that purpoſe; who, upon being furniſhed with the neceſſary documents and proofs, ſhall, under the direction or inſtruction of the Preſident of the United States, make application to the nation or tribe, to which ſuch Indian or Indians ſhall belong, for ſatisfaction; and if ſuch nation or tribe ſhall neglect or refuſe to make ſatisfaction, in a reaſonable time, not exceding eighteen months, then it ſhall be the duty of ſuch ſuperintendant or other perſon authorized as aforeſaid, to make return of his doings to the Preſident of the United States, and forward to him all the documents and proofs in the caſe, that ſuch further ſteps may be taken, as ſhall be proper to obtain ſatisfaction for the injury: And in the mean time, in reſpect to the property ſo taken, ſtolen, or deſtroyed, the United States guarantee to the party injured, an eventual indemnification: *Provided always*, that if ſuch injured party, his repreſentative, attorney, or agent, ſhall, in any way, violate any of the proviſions of this act, by ſeeking, or attempting to obtain private ſatisfaction or revenge, by croſſing over the line, on any of the Indian lands, he ſhall forfeit all claim upon the United States, for ſuch indemnification: *And provided alſo*, that nothing herein contained ſhall prevent the legal apprehenſion or arreſting, within the limtts of any ſtate or diſtrict, of any Indian having ſo offended: *And provided further*, that it ſhall be lawful for the Preſident of the United States, to deduct ſuch ſum or ſums, as ſhall be paid for the property taken, ſtolen or deſtroyed by any ſuch Indian, out of the annual ſtipend, which the United States are bound to pay to the tribe, to which ſuch Indian ſhall belong.

Sec. 15. *And be it further enacted*, That the ſuperior courts in each of the ſaid territorial diſtricts, and the circuit courts, and other courts of the United States of ſimilar juriſdiction in criminal cauſes, in each diſtrict of the United States, in which any offender againſt this act ſhall be apprehended, or, agreeably to the proviſions of this act, ſhall be brought for trial, ſhall have, and are hereby inveſted with full power and authority to hear and determine all crimes, offences and miſdemeanors, againſt this act; ſuch courts proceeding therein, in the ſame manner, as if ſuch crimes, offences and miſdemeanors had been committed within the bounds of their reſpective diſtricts: And in all caſes, where the puniſhment ſhall not be death, the county courts of quarter ſeſſions in the ſaid territorial diſtricts, and the diſtrict courts of the United States in their reſpective diſtricts, ſhall have, and are hereby inveſted with like power to hear and determine the ſame, any law to the contrary notwithſtanding: And in all caſes, where the puniſhment ſhall be death, it ſhall be lawful for the governor of either of the territorial diſtricts, where the offender ſhall be apprehended, or into which he ſhall be brought for trial, to iſſue a commiſſion of oyer and terminer to the ſuperior judges of ſuch diſtrict, who ſhall have full power and authority to hear and determine all ſuch capital caſes, in the ſame manner as the ſuperior courts of ſuch diſtrict have in their ordinary ſeſſions: And when the offender ſhall be apprehended, or brought for trial, into any of the United States, except Kentucky, it ſhall be lawful for the Preſident of the United States, to iſſue a like commiſſion to any one or more judges of the ſupreme court of the United States, and the judge of the diſtrict, in which ſuch offender may have been apprehended or ſhall have been brought for trial; which judges,

Juriſdiction of the courts in relation to offences under this act.

Commiſſions of oyer and terminer may be iſſued in capital caſes.

or any two of them, ſhall have the ſame juriſdiction in ſuch capital caſes, as the circuit court of ſuch diſtrict, and ſhall proceed to trial and judgment, in the ſame manner, as ſuch circuit court might or could do. And the diſtrict courts of Kentucky and Maine ſhall have juriſdiction of all crimes, offences and miſdemeanors committed againſt this act, and ſhall proceed to trial and judgment, in the ſame manner, as the circuit courts of the United States.

Juriſdiction of the diſtrict courts for Maine and Kentucky.

Sec. 16. *And be it further enacted*, That it ſhall be lawful for the military force of the United States, to apprehend every perſon who ſhall, or may be found in the Indian country over and beyond the ſaid boundary line between the United States and the ſaid Indian tribes, in violation of any of the proviſions or regulations of this act, and him or them immediately to convey, in the neareſt, convenient and ſafe route, to the civil authority of the United States, in ſome one of the three next adjoining ſtates or diſtricts, to be proceeded againſt in due courſe of law: *Provided*, that no perſon, apprehended by military force, as aforeſaid, ſhall be detained longer than five days after the arreſt, and before removal. And all officers and ſoldiers, who may have any ſuch perſon or perſons in cuſtody, ſhall treat them with all the humanity which the circumſtances will poſſibly permit: and every officer and ſoldier who ſhall be guilty of mal-treating any ſuch perſon, while in cuſtody, ſhall ſuffer ſuch puniſhment as a court-martial ſhall direct. *Provided*, that the officer having cuſtody of ſuch perſon or perſons ſhall, if required by ſuch perſon or perſons, conduct him or them to the neareſt judge of the ſupreme or ſuperior court of any ſtate, who, if the offence is bailable, ſhall take proper bail if offered, returnable to the diſtrict court next to be holden in ſaid diſtrict, which bail the ſaid judge is

The military may apprehend perſons found beyond the Indian boundary, in violation of this act:—and proceedings thereupon.

hereby authorized to take, and which ſhall be liable to be eſtreated as any other recognizance for bail in any court of the United States; and if ſaid judge ſhall refuſe to act, or the perſon or perſons fail to procure ſatisfactory bail, then the ſaid perſon or perſons are to be proceeded with according to the directions of this act.

Offenders againſt this act, found within any ſtate or territorial diſtrict, may be there apprehended & brought to trial.

Sec. 17. *And be it further enacted*, That if any perſon, who ſhall be charged with a violation of any of the proviſions or regulations of this act, ſhall be found within any of the United States, or either of the territorial diſtricts of the United States, ſuch offender may be there apprehended and brought to trial, in the ſame manner, as if ſuch crime or offence had been committed within ſuch ſtate or diſtrict; and it ſhall be the duty of the military force of the United States, when called upon by the civil magiſtrate, or any proper officer, or other perſon duly authorized for that purpoſe, and having a lawful warrant, to aid and aſſiſt ſuch magiſtrate, officer, or other perſon authorized, as aforeſaid, in arreſting ſuch offender, and him committing to ſafe cuſtody, for trial according to law.

The military ſhall aid in arreſting them.

Courts to fix the amount of fines and duration of impriſonment, &c.

Sec. 18. *And be it further enacted*, That the amount of fines, and duration of impriſonment, directed by this act as a puniſhment for the violation of any of the proviſions thereof, ſhall be aſcertained and fixed, not exceeding the limits preſcribed, in the diſcretion of the court, before whom the trial ſhall be had; and that all fines and forfeitures, which ſhall accrue under this act, ſhall be, one half to the uſe of the informant, and the other half to the uſe of the United States: Except where the proſecution ſhall be firſt inſtituted on behalf of the United States; in which caſe, the whole ſhall be to their uſe.

Diſtribution of penalties.

Intercourse with the Indians surrounded by certain settlements of citizens of the U. S. and also certain roads, &c. to be free.

Sec. 19. *And be it further enacted*, That nothing in this act shall be construed to prevent any trade or intercourse with Indians living on lands surrounded by settlements of the citizens of the United States, and being within the ordinary jurisdiction of any of the individual states; or the unmolested use of a road from Washington district, to Mero district, and of the navigation of the Tennessee river, as reserved and secured by treaty; nor shall this act be construed to prevent any person or persons travelling from Knoxville to Price's settlement (so called) provided they shall travel in the trace or path which is usually travelled, and provided the Indians make no objection; but if the Indians object, the President of the United States is hereby authorized to issue a proclamation, prohibiting all travelling on said trace, after which, the penalties of this act shall be incurred by every person travelling or being found on said trace, within the Indian boundary without a passport.

And other Indian boundary may be ascertained, &c.

Sec. 20. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to cause to be clearly ascertained, and distinctly marked, in all such places as he shall deem necessary, and in such manner as he shall direct, any other boundary lines between the United States and any Indian tribe, which now are, or hereafter may be established by treaty.

Limitation of this act.

Sec. 21. *And be it further enacted*, That this act shall be in force from and after the third day of March, one thousand seven hundred and ninety-nine, and shall continue in force the term of three years; and so far as respects the proceedings under this act, it is to be understood, that the act, intituled "An act to amend an act, intituled 'An act giving effect to the laws of the United States within the dis-

Part of a certain act not to operate.

rict of Tenneſſee," is not to operate. And all diſabilities which have taken place ſhall continue and remain; and all penalties and forfeitures, that have been incurred, may be recovered, and all proſecutions and ſuits which may have been commenced, may be proſecuted to final judgment, under the act, to regulate trade and intercourſe with the Indian tribes, and to preſerve peace on the frontiers; which act expires, by its own limitation, on the third day of March, one thouſand ſeven hundred and ninety-nine, in the ſame manner, as if the ſaid act was continued in force. Partial continuance of the former act.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President pro tempore, of the Senate.*

APPROVED, March 3, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CLIII.

An Act authorizing the Preſident of the United States to fill certain vacancies in the army and navy.

BE *it enacted by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Preſident of the United States ſhall be, and he is hereby authorized to make appointments to fill any vacancies in the army and navy which may have happened during the preſent ſeſſion of the Senate.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

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JAMES ROSS, *President pro tempore, of the Senate.*

APPROVED, March 3, 1799.

JOHN ADAMS,
President of the United States.

CHAPTER CLIV.

An Act for the better organizing of the Troops of the United States; and for other purposes.

Sec. 1. BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the troops heretofore authorized, and which hereafter may be authorized to be raised, shall be composed and organized as follows, to wit: A regiment of infantry shall consist of one lieutenant-colonel commandant, two majors, first and second, one adjutant, one quarter-master, and one pay-master, each being a lieutenant, one surgeon, and two surgeons' mates, ten captains, ten first and ten second lieutenants, besides the three lieutenants before-mentioned, ten cadets, two serjeant-majors, two quarter-master serjeants, two chief musicians, first and second, twenty other musicians, forty serjeants, forty corporals, and nine hundred and twenty privates, which, together, shall form two battalions, each battalion of five companies: A regiment of cavalry shall consist of one lieutenant-colonel commandant, two majors, a first and second, one adjutant, one quarter-master, and one pay-master, each being a lieutenant; one surgeon, and two surgeons' mates, ten captains, ten first and ten second lieutenants, besides the three lieutenants before-mentioned, ten cadets, two serjeant-majors, two quarter-master serjeants, two chief musicians, first and second, ten other musicians, forty serjeants, forty corporals, and nine hundred and twenty privates, including ten sadlers, ten blacksmiths, and ten boot makers; which, together, shall form five squadrons, each squadron of two companies: A regiment of artillery shall consist of one lieutenant-colonel commandant, four majors, or

How a regiment of infantry shall be composed.

A regiment of cavalry.

A regiment of artillery.

djutant, one quarter-maſter, and one pay-maſter, each being a lieutenant, one ſurgeon, nd two ſurgeons' mates, ſixteen captains, hirty-two lieutenants, beſides the three lieu-enants before-mentioned, thirty-two cadets, our ſerjeant-majors, four quarter-maſter-ſer-eants, ſixty-four ſerjeants, ſixty-four corpo-als, one chief muſician, ten other muſicians, ight hundred and ninety-ſix privates, inclu-ing one hundred and twenty-eight artificers, hich together ſhall form four battalions, ach battalion of four companies. *Provided lways*, that the number of privates raiſed and o be raiſed for the regiment of cavalry and he regiments of infantry heretofore authoriz-d, ſhall not exceed the number reſpectively or which proviſion hath been heretofore made y law; nor ſhall the battalion of riflemen, or the two additional troops of cavalry au-horized by this act, be raiſed, until further roviſion ſhall be ſo made, unleſs war ſhall reak out between the United States and ſome uropean Prince, Potentate or State, in which ſe it ſhall be lawful for the Preſident of the nited States, at his diſcretion, to cauſe the id regiments or any of them, to be ſeverally mpleted to their full eſtabliſhment.

Certain regiments not to be compleated, but in caſe of war.

Sec. 2. *And be it further enacted*, That every nſign and cornet in the regiments heretofore ppointed ſhall be denominated hereafter ſe-ond lieutenants.

Enſigns & cornets to be 2d lieutenants.

Sec. 3. *And be it further enacted*, That the ficers, non-commiſſioned officers and pri-ates hereinafter mentioned, who now are or any time herafter may be in the actual ſer-ice of the United States, ſhall be entitled to, nd ſhall receive the following compenſations, o wit: a major-general one hundred and ſixty-ix dollars per month and fifteen rations of roviſions per day, or an equivalent in money,

Compenſation and allowance to the troops in actual ſervice.

and when forage ſhall not be furniſhed by the United States, the further ſum of twenty dollars per month. A brigadier-general, one hundred and four dollars per month, twelve rations per day, or an equivalent in money, and ſixteen dollars per month for forage when not furniſhed as aforeſaid. A lieutenant-colonel commandant, ſeventy-five dollars per month, ſix rations per day, or an equivalent in money, and twelve dollars for forage, when not furniſhed as aforeſaid. A major of artillery or cavalry, each fifty-five dollars per month, four rations per day, or an equivalent in money, and ten dollars per month for forage, when not furniſhed as aforeſaid. A major of infantry fifty dollars per month, four rations per day, or an equivalent in money, and ten dollars per month for forage, when not furniſhed as aforeſaid. A captain of cavalry forty dollars per month, three rations per day, or an equivalent in money, and eight dollars per month for forage, when not furniſhed as aforeſaid. A captain of artillery and infantry forty dollars per month, and three rations per day, or an equivalent in money. A firſt lieutenant of cavalry thirty dollars per month, two rations per day, or an equivalent in money, and ſix dollars per month for forage when not furniſhed as aforeſaid. Lieutenants of artillery each thirty dollars per month, and two rations per day, or an equivalent in money. A ſecond lieutenant of cavalry twenty-five dollars per month, two rations per day, or an equivalent in money, and ſix dollars per month for forage when not furniſhed as aforeſaid. A firſt lieutenant of infantry thirty dollars per month, and two rations per day, or an equivalent in money. A ſecond lieutenant of infantry twenty-five dollars per month, and two rations per day, or an equivalent in mo-

ney. A regimental ſurgeon forty-five dollars per month, three rations per day, or an equivalent in money, and ten dollars per month for forage when not furniſhed as aforeſaid. A ſurgeon's mate thirty dollars per month, two rations per day, or an equivalent in money, and ſix dollars per month for forage, when not furniſhed as aforeſaid. A regimental paymaſter, quartermaſter and adjutant, in addition to their pay in the line, each ten dollars, and ſix dollars per month for forage, when not furniſhed as aforeſaid. A cadet of cavalry ten dollars per month, two rations per day, or an equivalent in money, and ſix dollars per month for forage, when not furniſhed as aforeſaid. All other cadets ten dollars per month and two rations per day, or an equivalent in money. A ſerjeant-major and a quartermaſter-ſerjeant each ten dollars per month. A chief muſician eight dollars per month. A ſerjeant eight dollars per month. A corporal ſeven dollars per month. A muſician ſix dollars per month. An artificer to the infantry and artillery, a farrier, ſadler and boot maker to the dragoons, each ten dollars per month. A private ſoldier five dollars per month, and to each of the ſaid non-commiſſioned officers and privates one ration of proviſions per day.

Soldiers exempted from arreſts for debt or contract.

Sec. 4. *And be it further enacted*, That all non-commiſſioned officers, artificers, privates and muſicians, who are and who ſhall be enliſted, and the non-commiſſioned officers, artificers, privates and muſicians of the militia or other corps, who at any time may be in the actual ſervice of the United States, ſhall be, and they are hereby exempted during their term of ſervice, from all perſonal arreſts, for any debt or contract. And whenever any non-commiſſioned officer, artificer, private or muſician ſhall be arreſted whether by meſne pro-

ceſs, or in execution, contrary to the intent hereof, it ſhall be the duty of the Judge of the diſtrict court of the United States and of any court or Judge of a ſtate, who by the laws of ſuch ſtate, are authorized to iſſue writs of habeas corpus, reſpectively, on application by an officer, to grant a writ of habeas corpus returnable before himſelf: and upon due hearing and examination in a ſummary manner, to diſcharge the non-commiſſioned officer, artificer, private or muſician from ſuch arreſt, taking common bail, if required, in any caſe upon meſne proceſs, and commit him to the applicant, or ſome other officer of the ſame corps.

Qualifications of ſoldiers as to age, ſize, &c.

Sec. 5. *And be it further enacted*, That each non-commiſſioned officer, private, artificer and muſician, who ſhall hereafter be enliſted for the army of the United States ſhall be able bodied, and of a ſize and age ſuitable for the public ſervice, according to the directions which the Preſident of the United States ſhall and may eſtabliſh; and ſhall be entitled to a bounty of twelve dollars: but the payment of four dollars thereof ſhall be deferred until he ſhall have joined the army: And each commiſſioned officer, who ſhall be employed in the recruiting ſervice, ſhall be entitled to receive, for each ſuch non-commiſſioned officer and private and artificer and for each ſufficient muſician duly enliſted and muſtered, the ſum of two dollars, the ſame being in full compenſation for his extra expenſes in the execution of this ſervice.

Bounty.

Emoluments of recruiting officers.

When officers are detached for certain purpoſes from their regiments,

Sec. 6. *And be it further enacted*, That when any officer ſhall be detached from a regiment to ſerve as an aid to a general officer, or as aſſiſtant or other inſpector, or as an aſſiſtant to the quartermaſter-general, by whatſoever name, or as an aſſiſtant to the adjutant gene-

ral, by whatſoever name, the place of ſuch officer in his regiment ſhall be ſupplied by promotion or new appointment, or both, as may be requiſite; but the officer detached ſhall nevertheleſs retain his ſtation in his regiment, and ſhall rank and riſe therein, in the ſame manner as if he had not been detached. their places ſhall be ſupplied.

Sec. 7. *And be it further enacted*, That no officer ſhall be appointed as the inſpector of a diviſion, who when appointed, ſhall be of a rank higher than that of major, or as the inſpector of a brigade, who when appointed, ſhall be of a rank higher than that of captain, or as the aid of a major-general, who when appointed, ſhall be of a rank higher than that of captain, or as the aid of a brigadier-general, who when appointed, ſhall be of a rank higher than that of firſt-lieutenant, or as the quarter-maſter of a diviſion, who when appointed, ſhall be of a rank higher than that of captain, or as the quarter-maſter of a brigade, who when appointed, ſhall be of a rank higher than that of firſt-lieutenant, or as an aſſiſtant to the adjutant-general, who when appointed, ſhall be of a rank higher than that of captain. From what ranks inſpectors, aids, &c. are to be taken.

Sec. 8. *And be it further enacted*, That in the ordinary arrangement of the army, two regiments of infantry or cavalry ſhall conſtitute a brigade, and ſhall be commanded by a brigadier-general; two brigades, a diviſion, and ſhall be commanded by a major-general. *Provided always*, that it ſhall be in the diſcretion of the commanding general, to vary this diſpoſition, whenever he ſhall judge it proper; and provided alſo, that this act ſhall not render it neceſſary to appoint any greater number of general officers than have been heretofore authorized by law, ſooner than in the opinion of the Preſident, the military ſervice of the United States ſhall require it. Formation of brigades and diviſions.

A commander of the army to be appointed, and his ſtyle.

Sec. 9. *And be it further enacted*, That a commander of the army of the United States ſhall be appointed and commiſſioned by the ſtyle of "General of the Armies of the United States," and the preſent office and title of Lieutenant-General ſhall thereafter be aboliſhed.

Quarter-maſter-General.

Sec. 10. *And be it further enacted*, That there ſhall be a Quartermaſter-General of the army of the United States, who ſhall be entitled to the rank, pay, emoluments and privileges of a major-general.

A battalion of riflemen may be raiſed.

Sec. 11. *And be it further enacted*, That it ſhall be lawful for the Preſident of the United States, at his diſcretion, to organize, officer, and raſe a battalion of riflemen, to conſiſt of the ſame number of officers and men, and to be entitled to the ſame pay and emoluments whatſoever as a battalion of infantry of the line.

Deputy, diviſion and brigade quarter-maſters.

Sec. 12. *And be it further enacted*, That to any army of the United States, other than that in which the quartermaſter-general ſhall ſerve, there ſhall be a deputy quartermaſter-general, who ſhall be a field officer, and who, in addition to his other emoluments, ſhall be entitled to fifty dollars per month, which ſhall be in full compenſation for his extra ſervices and travelling expenſes, but the proviſions of this act are not to affect the preſent quartermaſter-general of the army of the United States, who, in caſe a quartermaſter-general ſhall be appointed by virtue of this act, is to act as deputy quartermaſter-general, and ſhall hereafter have the rank of lieutenant-colonel; and that to every diviſion of an army, there ſhall be a diviſion quartermaſter, who, in addition to his other emoluments, ſhall be entitled to thirty dollars per month, which ſhall be in full compenſation for his extra ſervices and travelling expenſes; and that to every brigade

there ſhall be a brigade quatermaſter, who, in addition to his other emoluments, ſhall be entitled to twenty-four dollars per month, which ſhall be in full compenſation for his extra ſervices and travelling expenſes; each of which officers ſhall be choſen by the quartermaſter-general, from among the regimental officers.

Deputy, diviſion and brigade inſpectors.

Sec. 13. *And be it further enacted*, That to any army of the United States, other than that in which the inſpector-general ſhall ſerve, there ſhall be a deputy inſpector-general, who ſhall be a field officer, and who, in addition to his other emoluments, ſhall be entitled to fifty dollars per month, which ſhall be in full compenſation for his extra ſervices and travelling expenſes; and that to every diviſion of an army there ſhall be a diviſion inſpector, who, in addition to his other emoluments, ſhall be entitled to thirty dollars per month, which ſhall be in full compenſation for his extra ſervices and travelling expenſes; and that to every brigade there ſhall be a brigade inſpector, who, in addition to his other emoluments, ſhall be entitled to twenty-four dollars per month, which ſhall be in full compenſation for his extra ſervices and travelling expenſes: each of which officers ſhall be choſen by the inſpector-general from among the regimental officers.—The deputy inſpector-general to be in every caſe approved by the general commanding the army to which he ſhall be annexed.

The adjutant-general to be aſſiſtant inſpector-general, &c.

Sec. 14. *And be it further enacted*, That the adjutant-general of the army ſhall be *ex-officio* aſſiſtant inſpector-general, and that every deputy inſpector-general ſhall be *ex-officio* deputy adjutant-general, and ſhall perform the duties of adjutant-general in the army to which he ſhall be annexed.

Duty of the paymaſter-general.

Sec. 15. *And be it further enacted*, That the paymaſter-general of the armies of the United States, ſhall always quarter at or near the head-quarters of the main army, or at ſuch place as the commander in chief ſhall deem proper; and that to the army on the weſtern frontiers and to detachments from the main army intended to act ſeparately for a time, he ſhall appoint deputy paymaſters, who ſhall account to him for the money advanced to them, and ſhall each give a bond in the ſum of fifteen thouſand dollars, with ſufficient ſureties for the faithful diſcharge of their duties reſpectively, and take an oath faithfully to execute the duties of their offices, and the ſeveral regimental paymaſters ſhall alſo give bond in the ſum of five thouſand dollars with one or more ſufficient ſureties, and take an oath as aforeſaid for the faithful diſcharge of the duties of their offices reſpectively; and that the paymaſter-general ſhall receive eighty dollars per month with the rations and forage of a major in full compenſation for his ſervices and travelling expenſes; and the deputy, in addition to his pay and other emoluments, thirty dollars per month in full compenſation for his extra ſervices and travelling expenſes.

Deputy & regimental paymaſters to give ſecurity.

Compenſation of the paymaſter general and the deputy.

Aids of major and brigadier generals.

Sec. 16. *And be it further enacted*, That every major-general of the army of the United States ſhall be entitled to two aids to be choſen by himſelf, each of whom in addition to his pay and other emoluments in his regiment, ſhall receive twenty-four dollars per month, and ten dollars per month for forage, when not furniſhed as aforeſaid; and that every brigadier-general of the ſaid army ſhall be entitled to one aid to be choſen by himſelf, who, in addition to his pay and other emoluments in his regiment, ſhall receive twenty-four dollars per

month, and ten dollars per month for forage, when not furniſhed as aforeſaid.

Two engineers, diſtinct from the corps, to be appointed.

Sec. 17. *And be it further enacted*, That the President of the United States be authorized to engage and appoint, diſtinct from the officers of the corps of artilleriſts and engineers, two engineers with the rank of lieutenant-colonel, and to ſtipulate and allow to them reſpectively, ſuch compenſations as he ſhall find neceſſary and expedient.

An inſpector of fortifications to be appointed.

Sec. 18. *And be it further enacted*, That an inſpector of fortifications ſhall be appointed, whoſe duties ſhall be aſſigned him by the Secretary of War under the direction of the President of the United States, that the compenſation to be allowed to the ſaid inſpector, if ſelected from the corps of artilleriſts and engineers, in full for his extra ſervices and traveling expenſes, ſhall, beſides his pay and emoluments in the corps, be thirty-five dollars per month, and if he ſhall not be an officer in the artillery or army, he ſhall in full compenſation for his ſervices and expenſes be allowed the ſum of ſeventy-five dollars monthly, and be entitled to the rank of major in the army of the United States, and in caſe the ſaid inſpector ſhall be choſen from the corps of artilleriſts and engineers or army of the United States, his place therein ſhall be ſupplied by promotion or a new appointment or both, as may be requiſite; but he ſhall nevertheleſs retain his ſtation in the ſaid corps or army, and ſhall rank and riſe therein, in the ſame manner as if he had never been appointed to the ſaid office of inſpector.

Component parts of a ration of proviſions.

Sec. 19. *And be it further enacted*, That a ration of proviſions ſhall henceforth conſiſt of eighteen ounces of bread or flour, or when neither can be obtained, of one quart of rice or one and an half pound of ſifted or boulted

Indian meal, one pound and a quarter of freſh beef, or one pound of ſalted beef, or three quarters of a pound of ſalted pork, and when freſh meat is iſſued, ſalt at the rate of two quarts for every hundred rations, ſoap at the rate of four pounds, and candles at the rate of a pound and a half for every hundred rations. *Provided always*, that there ſhall be no diminution of the ration to which any of the troops now in ſervice may be entitled by the terms of their enliſtment.

Annual allowance of uniform clothing.

Sec. 20. *And be it further enacted*, That every non-commiſſioned officer, private, artificer, and muſician of the artillery and infantry, ſhall receive annually, the following articles of uniform clothing, to wit: one hat, one coat, one veſt, two pair of woollen and two pair of linen overalls, four pair of ſhoes, four ſhirts, four pair of ſocks, one blanket, one ſtock and claſp, and one pair of buckles.

Clothing for the dragoons.

Sec. 21. *And be it further enacted*, That ſuitable clothing be provided for the dragoons, adapted to the nature of the ſervice, and conformed as near as may be to the value of the clothing allowed to the infantry and artillery.

Spirits and vinegar may be iſſued to the troops.

Sec. 22. *And be it further enacted*, That it ſhall be lawful for the commander in chief of the army, or the commanding officer of any ſeparate detachment or garriſon thereof, at his diſcretion, to cauſe to be iſſued, from time to time, to the troops under his command out of ſuch ſupplies as ſhall have been provided for the purpoſe, rum, whiſkey, or other ardent ſpirits in quantities not exceeding half a gill to each man per day, excepting in caſes of fatigue ſervice, or other extraordinary occaſions, and that whenſoever ſupplies thereof ſhall be on hand, there ſhall be iſſued to the

troops vinegar at the rate of two quarts for every hundred rations.

Sec. 23. *And be it further enacted*, That it ſhall be lawful for the commanding officer of each regiment, whenever it may be neceſſary, to cauſe the coats, veſts and overalls or breeches, which may from time to time be iſſued to and for his regiment, to be altered and new made, ſo as the better to fit them to the perſons reſpectively for whoſe uſe they ſhall be delivered; and for defraying the expenſe of ſuch alteration, to cauſe to be deducted and applied out of the pay of ſuch perſons a ſum or ſums not exceeding twenty-five cents for each coat, eight cents for each veſt, and for each pair of overalls or breeches. Proviſion for altering ſoldiers clothing.

Sec. 24. *And be it further enacted*, That it ſhall be lawful for the Secretary of War, to cauſe to be provided, in each and every year, all clothing, camp utenſils and equippage, medicines and hoſpital ſtores, neceſſary for the troops and armies of the United States for the ſucceeding year, and for this purpoſe to make purchaſes, and enter, or cauſe to be entered into, all neceſſary contracts or obligations for effecting the ſame. Clothing, camp utenſils, &c. to be provided by the Secretary of War.

Sec. 25. *And be it further enacted*, That whenever any officer or ſoldier ſhall be diſcharged from the ſervice, except by way of puniſhment for an offence, he ſhall be allowed his pay and rations, or an equivalent in money, for ſuch term of time, as ſhall be ſufficient to travel from the place where he receives his diſcharge to the place of his reſidence, computing at the rate of twenty miles to a day. Allowance for officers and ſoldiers to return home.

Sec. 26. *And be it further enacted*, That there ſhall be allowed to the inſpector-general, in addition to his allowance as major-general, and in full compenſation for extra ſervices and expenſes in the execution of his office the ſum Extra allowance to the inſpector-general.

of fifty dollars per month, and that he ſhall be allowed a ſecretary to be appointed by himſelf with the pay and emoluments of a captain.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President pro tempore, of the Senate.*

APPROVED, March 3, 1799.

JOHN ADAMS,
President of the United States.

A ſubſcription to Folwell's edition of the Journals of Congreſs authorized.

RESOLVED *by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled*, That the Secretary of the Senate and the Clerk of the Houſe of Repreſentatives be authorized and directed to ſubſcribe, on ſuch terms as they may deem eligible, for the uſe of the Senate and Houſe of Repreſentatives, for four hundred copies of the Journals of Congreſs, which are propoſed to be publiſhed by Richard Folwell; and ſuch number of copies of different volumes of the ſets now in print, as may be neceſſary to complete the ſame.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate, pro tempore.*

APPROVED, March 2, 1799.

JOHN ADAMS,
President of the United States.

ARTICLES
OF A
TREATY,
BETWEEN THE
UNITED STATES OF AMERICA,
AND THE
CHEROKEE INDIANS.

WHEREAS, the treaty made and concluded on Holſton River, on the ſecond day of July, in the year one thouſand ſeven hundred and ninety-one, between the United States of America, and the Cherokee nation of Indians, had not been carried into execution, for ſome time thereafter, by reaſon of ſome miſunderſtandings which had ariſen:—*And whereas*, in order to remove ſuch miſunderſtandings, and to provide for carrying the ſaid treaty into effect, and for re-eſtabliſhing more fully the peace and friendſhip between the parties, another treaty was held, made and concluded by and between them, at Philadelphia, the twenty-ſixth day of June, in the year one thouſand ſeven hundred and ninety-four: In which, among other things, it was ſtipulated, that the boundaries mentioned in the fourth article of the ſaid treaty of Holſton, ſhould be actually aſcertained and marked, in the manner preſcribed by the ſaid article, whenever the Cherokee nation ſhould have ninety days notice of the time and place at which the commiſſioners of the United States intended to commence their operation: *And whereas* further delays in carrying the ſaid fourth article in complete effect did take place, ſo that the boundaries mentioned and deſcribed therein, were not regularly aſcertained

Preamble.

and marked, until the latter part of the year, one thouſand ſeven hundred and ninety-ſeven: before which time, and for want of knowing the direct courſe of the ſaid boundary, divers ſettlements were made, by divers citizens of the United States, upon the Indian lands over and beyond the boundaries ſo mentioned and deſcribed in the ſaid article, and contrary to the intention of the ſaid treaties: but which ſettlers were removed from the ſaid Indian lands, by authority of the United States, as ſoon after the boundaries had been ſo lawfully aſcertained and marked as the nature of the caſe had admitted: *And whereas*, for the purpoſe of doing juſtice to the Cherokee nation of Indians, and remedying inconveniencies ariſing to citizens of the United States from the adjuſtment of the boundary line between the lands of the Cherokees and thoſe of the United States, or the citizens thereof, or from any other cauſe in relation to the Cherokees; and in order to promote the intereſts and ſafety of the ſaid ſtates, and the citizens thereof, the Preſident of the United States, by and with the advice and conſent of the Senate thereof, hath appointed George Walton of Georgia, and the Preſident of the United States hath alſo appointed Lieutenant Colonel Thomas Butler, commanding the troops of the United States, in the ſtate of Tenneſſee, to be commiſſioners for the purpoſe aforeſaid; And who, on the part of the United States, and the Cherokee nation, by the underſigning chiefs and warriors, repreſenting the ſaid nation, have agreed to the following articles, namely:

ARTICLE I.

Peace and friendſhip declared perpetual.

The peace and friendſhip ſubſiſting between the United States and the Cherokee people, are hereby renewed, continued and declared perpetual.

ARTICLE II.

The treaties ſubſiſting between the preſent contracting parties, are acknowledged to be of full and operating force; together with the conſtruction and uſage under their reſpective articles, and ſo to continue. Subſiſting treaties to operate.

ARTICLE III.

The limits and boundaries of the Cerokee nation, as ſtipulated and marked by the exiſting treaties between the parties, ſhall be and remain the ſame, where not altered by the preſent treaty. Limits to remain the ſame, &c.

ARTICLE IV.

In acknowledgement for the protection of the United States, and for the conſiderations herein after expreſſed and contained, the Cherokee nation agree, and do hereby relinquiſh and cede to the United States, all the lands within the following points and lines, viz. From a point on the Tenneſſee river, below Tellico block-houſe, called the Wild-cat Rock, in a direct line to the Militia ſpring, near the Mary-ville road leading from Tellico. From the ſaid ſpring to the Chill-howie mountain, by a line ſo to be run, as will leave all the farms on Nine-mile Creek to the northward and eaſtward of it; and to be continued along Chill-howie mountain, until it ſtrikes Hawkins's line. Thence along the ſaid line to the great Iron mountain; and from the top of which a line to be continued in a ſoutheaſtwardly courſe to where the moſt ſouthwardly branch of Little river croſſes the diviſional line to Tulgaloe river: From the place of beginning, the Wild-cat Rock, down the northeaſt margin of the Tenneſſee river (not including iſlands) to a point or place one mile above the junction of that river with the Clinch, and from thence by a line to be drawn in a right angle, until it interſects Hawkins's line lead- Ceſſion of territory.

ing from Clinch. Thence down the ſaid line to the river Clinch; thence up the ſaid river to its junction with Emmery's river; and thence up Emmery's river to the foot of Cumberland mountain. From thence a line to be drawn, northeaſtwardly, along the foot of the mountain, until it interſects with Campbell's line.

ARTICLE V.

Commiſſioners for running the line of the ceſſion.

To prevent all future miſunderſtanding about the line deſcribed in the foregoing article, two commiſſioners ſhall be appointed to ſuperintend the running and marking the ſame, where not aſcertained by the rivers, immediately after ſigning this treaty; one to be appointed by the commiſſioners of the United States, and the other by the Cherokee nation; and who ſhall cauſe three maps or charts thereof to be made out; one whereof ſhall be tranſmitted and depoſited in the war office of the United States; another with the executive of the ſtate of Tenneſſee, and the third with the Cherokee nation, which ſaid line ſhall form a part of the boundary between the United States and the Cherokee nation.

ARTICLE VI.

Conſideration for the treaty.

In conſideration of the relinquiſhment and ceſſion hereby made, the United States upon ſigning the preſent treaty, ſhall cauſe to be delivered to the Cherokees, goods, wares and merchandize, to the amount of five thouſand dollars, and ſhall cauſe to be delivered, annually, other goods, to the amount of one thouſand dollars, in addition to the annuity already provided for; and will continue the guarantee of the remainder of their country forever, as made and contained in former treaties.

ARTICLE VII.

Kentucky

The Cherokee nation agree, that the Kentuckey road, running between the Cumberland

mountain and the Cumberland river, where the ſame ſhall paſs through the Indian land, ſhall be an open and free road for the uſe of the citizens of the United States in the like manner as the road from Southweſt point to Cumberland river. In conſideration of which it is hereby agreed on the part of the United States, that until ſettlements ſhall make it improper, the Cherokee hunters ſhall be at liberty to hunt and take game upon the lands relinquiſhed and ceded by this treaty.

road to be kept open

Indians may hunt on lands relinquiſhed.

ARTICLE VIII.

Due notice ſhall be given to the principal towns of the Cherokees, of the time propoſed for delivering the annual ſtipends; and ſufficient ſupplies of proviſions ſhall be furniſhed, by and at the expenſe of the United States, to ſubſiſt ſuch reaſonable number that may be ſent, or ſhall attend to receive them during a reaſonable time.

Notice of time for delivering annuities, &c.

ARTICLE IX.

It is mutually agreed between the parties, that horſes ſtolen and not returned within ninety days, ſhall be paid for at the rate of ſixty dollars each; if ſtolen by a white man, citizen of the United States, the Indian proprietor ſhall be paid in caſh; and if ſtolen by an Indian from a citizen, to be deducted as expreſſed in the fourth article of the treaty of Philadelphia.—This article ſhall have retroſpect to the commencement of the firſt conferences at this place in the preſent year, and no further. And all animoſities, aggreſſions, thefts and plunderings, prior to that day ſhall ceaſe, and be no longer remembered or demanded on either ſide.

Horſes ſtolen to be paid for.

Oblivion of paſt aggreſſions.

ARTICLE X.

The Cherokee nation agree, that the agent who ſhall be appointed to reſide among them from time to time, ſhall have a ſufficient piece of ground allotted for his temporary uſe.

The Cherokee agent to have a piece of ground.

And laſtly, This treaty, and the ſeveral articles it contains, ſhall be conſidered as additional to, and forming a part of, treaties already ſubſiſting between the United States and the Cherokee nation, and ſhall be carried into effect on both ſides, with all good faith as ſoon as the ſame ſhall be approved and ratified by the Preſident of the United States, and the Senate thereof.

In Witness of all and every thing herein determined between the United States of America, and the whole Cherokee nation, the parties hereunto ſet their hands and ſeals, in the Council-Houſe, near Tellico, on Cherokee ground, and within the United States, this ſecond day of October, in the year one thouſand ſeven hundred and ninety-eight, and in the twenty-third year of the Independence and Sovereignty of the United States.

Thos. Butler,		(L. S.)
Geo. Walton,		(L. S.)
Ne ne tu ah, or Bloody Fellow,	x	(L. S.)
Oſtaiah,	x	(L. S.)
Jaunne, or John,	x	(L. S.)
Oortlokecteh	x	(L. S.)
Chokonniſtaller, or Stallion	x	(L. S.)
Noot-hoietah	x	(L. S.)
Kunnateetah, or Riſing Fawn	x	(L. S.)
Utturah, or Skin Worm	x	(L. S.)
Wee, lee, or Will	x	(L. S.)
Oolaſoteh	x	(L. S.)
Tlorene	x	(L. S.)
Jonnurteekee, or Little John	x	(L. S.)
Oonatakoteehee	x	(L. S.)
Kanowſurkee, or Broom	x	(L. S.)
Yonah Ooolah, Bear at Home	x	(L. S.)
Tunkſalenee, or Thick Legs	x	(L. S.)

Oorkullaukee	x	(L. S.)
Kumamah, or Butterfly	x	(L. S.)
Chattakuteehee	x	(L. S.)
Kanitta, or Little Turkey	x	(L. S.)
Kettegiſkie	x	(L. S.)
Tauquotihee, or the Glaſs	x	(L. S.)
Chuquilatague	x	(L. S.)
Salleekookoo, olah	x	(L. S.)
Tallo tuſkee	x	(L. S.)
Chellokee	x	(L. S.)
Tuſkeegatee, or Long Fellow	x	(L. S.)
Neeka, anneah, or Woman Holder	x	(L. S.)
Kulſateehee	x	(L. S.)
Keetakeuſkah, or Prince	x	(L. S.)
Charley	x	(L. S.)
Akooh	x	(L. S.)
Sawanookeh	x	(L. S.)
Yonah Equah, or Big Bear	x	(L. S.)
Keenahkunnah	x	(L. S.)
Ka,wee,ſoola,ſkee	x	(L. S.)
Teekakalohenah	x	(L. S.)
Ookouſeteeh, or John Taylor	x	(L. S.)
Chochu Chee	x	(L. S.)

WITNESSES.

Eliſha I. Hall, Sec. of the Commiſſion	(L. S.)
Silas Dinſmoor, I. agent to the Cherokees	(L. S.)
John W. Hooker, U. S. Factor	(L. S.)
Ed. Butler, Capt. commanding at Tellico	(L. S.)
Robt. Purdy, Lieut. 4th U. S. Regt.	(L. S.)
Ludwell Grymes	(L. S.)
Jno. M'Donald	(L. S.)
Daniel Roſs	(L. S.)
Mattw. Wallace, Eſquire	(L. S.)
Saml. Hanly	(L. S.)
Michael M'Kinſey	(L. S.)
Chs. Hicks, interpreter	(L. S.)
James Cazey, interpreter	(L. S.)
John Thompſon	(L. S.)

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THE

CONSTITUTION

OF THE

United States

OF

AMERICA;

AS PROPOSED BY THE CONVENTION, HELD

AT PHILADELPHIA, *September* 17, 1787,

AND SINCE

RATIFIED BY THE SEVERAL STATES:

With the ſeveral amendments thereto.

CONSTITUTION.

WE, the People of the UNITED STATES, *in order to form a more perfect Union, eſtabliſh Juſtice, inſure Domeſtic Tranquillity, provide for the Common Defence, promote the General Welfare, and ſecure the Bleſſings of Liberty to Ourſelves and our Poſterity,* DO *ordain and eſtabliſh this* CONSTITUTION *for the United States of* AMERICA.

ARTICLE I.

SECTION I.

Of the legiſlative power.

ALL legiſlative powers herein granted ſhall be veſted in a CONGRESS of the United States, which ſhall conſiſt of a Senate and Houſe of Repreſentatives.

SECTION II.

Of the Houſe of Repreſentatives.

The Houſe of Repreſentatives ſhall be compoſed of members choſen every ſecond year, by the people of the ſeveral ſtates; and the electors in each ſtate ſhall have the qualifications requiſite for electors of the moſt numerous branch of the ſtate legiſlature.

No perſon ſhall be a Repreſentative who ſhall not have attained to the age of twenty-five years, and been ſeven years a citizen of the United States, and who ſhall not, when elected, be an inhabitant of that ſtate in which he ſhall be choſen.

Repreſentatives and direct taxes ſhall be apportioned among the ſeveral ſtates which may be included within this union, according to their reſpective numbers, which ſhall be determined by adding to the whole number of free perſons, including thoſe bound to ſervice for a term of years, and excluding In-

dians not taxed, three-fifths of all other persons. The actual enumeration ſhall be made within three years after the firſt meeting of the Congreſs of the United States, and within every ſubſequent term of ten years, in ſuch manner as they ſhall by law direct. The number of Repreſentatives ſhall not exceed one for every thirty thouſand, but each ſtate ſhall have at leaſt one Repreſentative; and until ſuch enumeration ſhall be made, the ſtate of *New-Hampſhire* ſhall be entitled to chooſe three, *Maſſachuſetts* eight, *Rhode-Iſland* and *Providence Plantations* one, *Connecticut* five, *New-York* ſix, *New-Jerſey* four, *Pennſylvania* eight, *Delaware* one, *Maryland* ſix, *Virginia* ten, *North-Carolina* five, *South-Carolina* five, and *Georgia* three.

When vacancies happen in the repreſentation from any ſtate, the executive authority thereof ſhall iſſue writs of election to fill ſuch vacancies.

The Houſe of Repreſentatives ſhall chooſe their Speaker and other officers, and ſhall have the ſole power of impeachment.

SECTION III.

Of the Senate.

The Senate of the United States ſhall be compoſed of two Senators from each ſtate, choſen by the legiſlature thereof, for ſix years; and each Senator ſhall have one vote.

Immediately after they ſhall be aſſembled in conſequence of the firſt election, they ſhall be divided, as equally as may be, into three claſſes. The ſeats of the Senators of the firſt claſs ſhall be vacated at the expiration of the ſecond year, of the ſecond claſs at the expiration of the fourth year, and of the third claſs at the expiration of the ſixth year, ſo that one-third may be choſen every ſecond year; and if vacancies happen by reſignation or other-

wiſe, during the receſs of the legiſlature of any ſtate, the executive thereof may make temporary appointments until the next meeting of the legiſlature, which ſhall then fill ſuch vacancies.

No perſon ſhall be a Senator who ſhall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who ſhall not, when elected, be an inhabitant of that ſtate for which he ſhall be chooſen.

The Vice-Preſident of the United States ſhall be Preſident of the Senate, but ſhall have no vote, unleſs they be equally divided.

The Senate ſhall chooſe their other officers, and alſo a Preſident pro tempore, in the abſence of the Vice-Preſident, or when he ſhall exerciſe the office of Preſident of the United States.

The Senate ſhall have the ſole power to try all impeachments. When ſitting for that purpoſe, they ſhall be on oath or affirmation. When the Preſident of the United States is tried, the chief juſtice ſhall preſide: And no perſon ſhall be convicted without the concurrence of two-thirds of the members preſent.

Judgment in caſes of impeachment ſhall not extend further than to removal from office, and diſqualification to hold and enjoy any office of honor, truſt or profit under the United States: but the party convicted ſhall nevertheleſs be liable and ſubject to indictment, trial, judgment and puniſhment, according to law.

Section IV.

The times, places, and manner of holding elections for Senators and Repreſentatives ſhall be preſcribed in each ſtate by the legiſlature thereof; but the Congreſs may at any time, Manner of electing members.

by law, make or alter ſuch regulations, except as to the places of chooſing Senators.

Congreſs to aſſemble annually.

The Congreſs ſhall aſſemble at leaſt once in every year, and ſuch meeting ſhall be on the firſt Monday in December, unleſs they ſhall by law appoint a different day.

Section V.

Powers of each houſe.

Each Houſe ſhall be the judge of the elections, returns, and qualifications of its own members; and a majority of each ſhall conſtitute a quorum to do buſineſs; but a ſmaller number may adjourn from day to day, and may be authorized to compel the attendance of abſent members, in ſuch manner and under ſuch penalties as each Houſe may provide.

Each Houſe may determine the rules of its proceedings, puniſh its members for diſorderly behaviour, and with the concurrence of two-thirds, expel a member.

Each Houſe ſhall keep a journal of its proceedings, and from time to time publiſh the ſame, excepting ſuch parts as may in their judgment require ſecrecy; and the yeas and nays of the members of either Houſe on any queſtion, ſhall at the deſire of one-fifth of thoſe preſent, be entered on the journal.

Neither Houſe, during the ſeſſion of Congreſs, ſhall, without the conſent of the other, adjourn for more than three days, nor to any other place than that in which the two Houſes ſhall be ſitting.

Section VI.

Compenſation, privileges and incapacities of the members.

The Senators and Repreſentatives ſhall receive a compenſation for their ſervices, to be aſcertained by law, and paid out of the Treaſury of the United States. They ſhall in all caſes, except treaſon, felony and breach of the peace, be privileged from arreſt during their attendance at the ſeſſion of their reſpective

Houſes, and in going to and returning from the ſame; and for any ſpeech or debate in either Houſe, they ſhall not be queſtioned in any other place.

No Senator or Repreſentative ſhall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which ſhall have been created, or the emoluments whereof ſhall have been increaſed during ſuch time; and no perſon holding any office under the United States, ſhall be a member of either Houſe during his continuance in office.

Section VII.

Manner of paſſing bills, orders, &c.

All bills for raiſing revenue ſhall originate in the Houſe of Repreſentatives; but the Senate may propoſe or concur with amendments as on other bills.

Every bill which ſhall have paſſed the Houſe of Repreſentatives and the Senate, ſhall before it become a law, be preſented to the Preſident of the United States; if he approve, he ſhall ſign it; but if not, he ſhall return it, with his objections, to that Houſe in which it ſhall have originated, who ſhall enter the objections at large on their journal, and proceed to re-conſider it. If after ſuch re-conſideration, two-thirds of that Houſe ſhall agree to paſs the bill, it ſhall be ſent, together with the objections, to the other Houſe, by which it ſhall likewiſe be re-conſidered, and if approved by two-thirds of that Houſe, it ſhall become a law. But in all ſuch caſes, the votes of both Houſes ſhall be determined by yeas and nays, and the names of the perſons voting for and againſt the bill ſhall be entered on the journal of each Houſe reſpectively. If any bill ſhall not be returned by the Preſident within ten days (Sundays excepted) after it ſhall have been preſented to

him, the ſame ſhall be a law, in like manner as if he had ſigned it, unleſs the Congreſs by their adjournment prevents its return, in which caſe it ſhall not be a law.

Every order, reſolution or vote to which the concurrence of the Senate and Houſe of Repreſentatives may be neceſſary (except on a queſtion of adjournment) ſhall be preſented to the Preſident of the United States; and before the ſame ſhall take effect, ſhall be approved by him, or being diſapproved by him, ſhall be repaſſed by two-thirds of the Senate and Houſe of Repreſentatives, according to the rules and limitations preſcribed in the caſe of a bill.

Section VIII.

Powers of Congreſs.

The Congreſs ſhall have power

To lay and collect taxes, duties, impoſts and exciſes, to pay the debts and provide for the commom defence and general welfare of the United States; but all duties, impoſts and exciſe ſhall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the ſeveral ſtates, and with the Indian tribes;

To eſtabliſh an uniform rule of naturalization, and uniform laws on the ſubject of bankruptcies, throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the ſtandard of weights and meaſures;

To provide for the puniſhment of counterfeiting the ſecurities and current coin of the United States;

To eſtabliſh poſt-offices and poſt-roads;

To promote the progreſs of ſcience and uſeful arts, by ſecuring, for limited times, to au-

thors and inventors, the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court; to define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies; but no appropriation of money to that use, shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested

by this conſtitution in the government of the United States, or in any department or officer thereof.

Section IX.

Limitations of the powers of Congreſs.

The migration or importation of ſuch perſons as any of the ſtates now exiſting ſhall think proper to admit, ſhall not be prohibited by the Congreſs prior to the year 1808, but a tax or duty may be impoſed on ſuch importation, not exceeding ten dollars for each perſon.

The privilege of the writ of habeas corpus ſhall not be ſuſpended, unleſs when in caſes of rebellion or invaſion the public ſafety may require it.

No bill of attainder, or ex poſt facto law ſhall be paſſed.

No capitation, or other direct tax, ſhall be laid, unleſs in proportion to the cenſus or enumeration herein before directed to be taken.

No tax or duty ſhall be laid on articles exported from any ſtate. No preference ſhall be given by any regulation of commerce or revenue to the ports of one ſtate over thoſe of another; nor ſhall veſſels bound to or from one ſtate, be obliged to enter, clear or pay duties in another.

No money ſhall be drawn from the treaſury, but in conſequence of appropriations made by law: and a regular ſtatement and account of the receipts and expenditures of all public money, ſhall be publiſhed from time to time.

No title of nobility ſhall be granted by the United States: And no perſon holding any office of profit or truſt under them, ſhall without the conſent of the Congreſs, accept of any preſent, emolument, office or title of any kind whatever, from any king, prince or foreign ſtate.

Section X.

No ſtate ſhall enter into any treaty, alliance or confederation; grant letters of marque and repriſal; coin money; emit bills of credit; make any thing but gold and ſilver coin a tender in payment of debts; paſs any bill of attainder, ex poſt facto law, or law impairing the obligation of contracts, or grant any title of nobility. Limitations of the powers of the individual ſtates.

No ſtate ſhall, without the conſent of the Congreſs, lay any impoſts or duties on imports or exports, except what may be abſolutely neceſſary for executing its inſpection laws: and the net produce of all duties and impoſts, laid by any ſtate on imports or exports, ſhall be for the uſe of the treaſury of the United States; and all ſuch laws ſhall be ſubject to the reviſion and controul of the Congreſs. No ſtate ſhall, without the conſent of Congreſs, lay any duty of tonnage, keep troops or ſhips of war in time of peace, enter into any agreement or compact with another ſtate, or with a foreign power, or engage in war, unleſs actually invaded, or in ſuch imminent danger as will not admit of delay.

ARTICLE II.

Section I.

The executive power ſhall be veſted in a Preſident of the United States of America. He ſhall hold his office during the term of four years, and, together with the Vice-Preſident, choſen for the ſame term, be elected as follows: The executive power to be veſted in a Preſident.

Each ſtate ſhall appoint, in ſuch manner as the Legiſlature thereof may direct, a number of electors, equal to the whole number of Senators and Repreſentatives to which the ſtate may be entitled in the Congreſs; but no Senator or Repreſentative, or perſon holding an office of truſt or profit under the United States, ſhall be appointed an elector. Manner of electing the Preſident and Vice-Preſident.

The electors ſhall meet in their reſpective ſtates, and vote by ballot for two perſons, of whom one, at leaſt, ſhall not be an inhabitant of the ſame ſtate with themſelves. And they ſhall make a liſt of all the perſons voted for, and of the number of votes for each; which liſt they ſhall ſign and certify, and tranſmit ſealed to the ſeat of the government of the United States, directed to the Preſident of the Senate. The Preſident of the Senate ſhall, in the preſence of the Senate and Houſe of Repreſentatives, open all the certificates, and the votes ſhall then be counted. The perſon having the greateſt number of votes ſhall be the Preſident, if ſuch number be a majority of the whole number of electors appointed; and if there be more than one who have ſuch majority, and have an equal number of votes, then the Houſe of Repreſentatives ſhall immediately chooſe, by ballot, one of them for Preſident; and if no perſon have a majority, then, from the five higheſt on the liſt, the ſaid Houſe ſhall, in like manner, chooſe the Preſident. But in chooſing the Preſident, the votes ſhall be taken by ſtates, the repreſentation from each ſtate having one vote: a quorum for this purpoſe ſhall conſiſt of a member or members from two-thirds of the ſtates, and a majority of all the ſtates ſhall be neceſſary to a choice. In every caſe, after the choice of the Preſident, the perſon having the greateſt number of votes of the electors, ſhall be the Vice-Preſident. But if there ſhould remain two or more who have equal votes, the Senate ſhall chooſe from them, by ballot, the Vice-Preſident.

The Congreſs may determine the time of chooſing the electors, and the day on which they ſhall give their votes; which day ſhall be the ſame throughout the United States.

Who may be

No perſon, except a natural born citizen, or a citizen of the United States, at the time of the

adoption of this Conſtitution, ſhall be eligible to the office of Preſident; neither ſhall any perſon be eligible to that office, who ſhall not have attained to the age of thirty-five years, and been fourteen years a reſident within the United States. elected Preſident.

In caſe of the removal of the Preſident from office, or of his death, reſignation, or inability to diſcharge the powers and duties of the ſaid office, the ſame ſhall devolve on the Vice-Preſident, and the Congreſs may by law provide for the caſe of removal, death, reſignation or inability, both of the Preſident and Vice-Preſident, declaring what officer ſhall then act as Preſident, and ſuch officer ſhall act accordingly, until the diſability be removed, or a Preſident ſhall be elected. In caſe of the removal, &c. of the Preſident, his powers to devolve on the Vice-Preſident, &c.

The Preſident ſhall, at ſtated times, receive for his ſervices, a compenſation, which ſhall neither be increaſed nor diminiſhed during the period for which he ſhall have been elected, and he ſhall not receive within that period any other emolument from the United States, or any of them. Preſident's compenſation.

Before he enter on the execution of his office he ſhall take the following oath, or affirmation:

"I do ſolemnly ſwear (or affirm) that I will faithfully execute the office of Preſident of the United States, and will, to the beſt of my ability, preſerve, protect and defend the conſtitution of the United States." His oath.

Section II.

The Preſident ſhall be commander in chief of the army and navy of the United States, and of the militia of the ſeveral ſtates, when called into the actual ſervice of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any ſubject relating to the duties of their reſpective offices; and he ſhall have Powers and duties of the Preſident.

power to grant reprieves and pardons for offences againſt the United States, except in caſes of impeachment.

He ſhall have power, by and with the advice and conſent of the Senate, to make treaties, provided two-thirds of the Senators preſent concur; and he ſhall nominate, and by and with the advice and conſent of the Senate, ſhall appoint ambaſſadors, other public miniſters and conſuls, judges of the ſupreme court, and all other officers of the United States, whoſe appointments are not herein otherwiſe provided for, and which ſhall be eſtabliſhed by law: But the Congreſs may, by law, veſt the appointment of ſuch inferior officers as they think proper, in the Preſident alone, in the courts of law, or in the heads of departments.

The Preſident ſhall have power to fill up all vacancies that may happen during the receſs of the Senate, by granting commiſſions which ſhall expire at the end of their next ſeſſion.

SECTION III.

He ſhall, from time to time, give to the Congreſs information of the ſtate of the Union, and recommend to their conſideration, ſuch meaſures as he ſhall judge neceſſary and expedient; he may, on extraordinary occaſions, convene both Houſes, or either of them, and in caſe of diſagreement between them, with reſpect to the time of adjournment, he may adjourn them to ſuch time as he ſhall think proper; he ſhall receive ambaſſadors and other public miniſters; he ſhall take care that the laws be faithfully executed, and ſhall commiſſion all the officers of the United States.

How the Preſident, and all civil officers may be remo-

SECTION IV.

The Preſident, Vice-Preſident and all civil officers of the United States, ſhall be removed from office on impeachment for, and conviction

of treaſon, bribery, or other high crimes and miſdemeanors. ved from office.

ARTICLE III.

SECTION I.

The judicial power of the United States ſhall be veſted in one ſupreme court, and in ſuch inferior courts as the Congreſs may, from time to time, ordain and eſtabliſh. The judges, both of the ſupreme and inferior courts, ſhall hold their offices during good behaviour, and ſhall, at ſtated times, receive for their ſervices a compenſation, which ſhall not be diminiſhed during their continuance in office. of the judicial power. Concerning the judges.

SECTION II.

The judicial power ſhall extend to all caſes in law and equity, ariſing under this Conſtitution, the laws of the United States, and treaties made, or which ſhall be made, under their authority; to all caſes affecting ambaſſadors, other public miniſters and conſuls; to all caſes of admiralty and maritime juriſdiction; to controverſies to which the United States ſhall be a party; to controverſies between two or more ſtates, between a ſtate and citizens of another ſtate, between citizens of different ſtates, between citizens of the ſame ſtate claiming lands under grants of different ſtates, and between a ſtate, or the citizens thereof, and foreign ſtates, citizens or ſubjects. Extent of the judicial power.

In all caſes affecting ambaſſadors, other public miniſters and conſuls, and thoſe in which a ſtate ſhall be party, the ſupreme court ſhall have original juriſdiction. In all the other caſes before mentioned, the ſupreme court ſhall have appellate juriſdiction, both as to law and fact, with ſuch exceptions, and under ſuch regulations as the Congreſs ſhall make. Of the original & appellate juriſdiction of the ſupreme court.

The trial of all crimes, except in caſes of impeachment, ſhall be by jury; and ſuch trial Of trials for crimes

ſhall be held in the ſtate where the ſaid crimes ſhall have been committed; but when not committed within any ſtate, the trial ſhall be at ſuch place or places as the Congreſs may by law have directed.

SECTION III.

Of treaſon.

Treaſon againſt the United States ſhall conſiſt only in levying war againſt them, or in adhering to their enemies, giving them aid and comfort. No perſon ſhall be convicted of treaſon, unleſs on the teſtimony of two witneſſes to the ſame overt act, or on confeſſion in open court.

The Congreſs ſhall have power to declare the puniſhment of treaſon, but no attainder of treaſon ſhall work corruption of blood, or forfeiture, except during the life of the perſon attainted.

ARTICLE IV.

SECTION I.

Faith to be given to public acts, &c. of each ſtate.

Full faith and credit ſhall be given in each ſtate to the public acts, records, and judicial proceedings of every other ſtate. And the Congreſs may, by general laws, preſcribe the manner in which ſuch acts, records and proceedings ſhall be proved, and the effect thereof.

SECTION II.

Privileges of citizens to extend thro' all the ſtates.

The citizens of each ſtate ſhall be entitled to all privileges and immunities of citizens in the ſeveral ſtates.

Fugitives from juſtice to be delivered up.

A perſon charged in any ſtate with treaſon, felony, or other crime, who ſhall flee from juſtice and be found in another ſtate, ſhall, on demand of the executive authority of the ſtate from which he fled, be delivered up, to be removed to the ſtate having juriſdiction of the crime.

Perſons held to ſervice or

No perſon held to ſervice or labour in one ſtate, under the laws thereof, eſcaping into

another, ſhall, in conſequence of any law or regulation therein, be diſcharged from ſuch ſervice or labour, but ſhall be delivered up on claim of the party to whom ſuch ſervice or labour may be due.

labour, to be delivered up.

SECTION III.

New ſtates may be admitted by the Congreſs into this Union; but no new ſtate ſhall be formed or erected within the juriſdiction of any other ſtate, nor any ſtate be formed by the junction of two or more ſtates, or parts of ſtates, without the conſent of the legiſlatures of the ſtates concerned, as well as of the Congreſs.

New ſtates may be admitted.

The Congreſs ſhall have power to diſpoſe of, and make all needful rules and regulations reſpecting the territory or other property belonging to the United States; and nothing in this Conſtitution ſhall be ſo conſtrued as to prejudice any claims of the United States, or of any particular ſtate.

Diſpoſal of territory and other property of the United States.

SECTION IV.

The United States ſhall guarantee to every ſtate in this Union, a republican form of government, and ſhall protect each of them againſt invaſion; and on application of the legiſlature, or of the executive (when the legiſlature cannot be convened) againſt domeſtic violence.

Guarantee and protection of the ſtates by the union.

ARTICLE V.

The Congreſs, whenever two-thirds of both Houſes ſhall deem it neceſſary, ſhall propoſe amendments to this Conſtitution, or, on the application of the legiſlatures of two-thirds of the ſeveral ſtates, ſhall call a convention for propoſing amendments, which, in either caſe, ſhall be valid to all intents and purpoſes, as part of this Conſtitution, when ratified by the legiſlatures of three-fourths of the ſeveral ſtates, or by conventions in three-fourths thereof, as the one or the other mode of ratification may

Of amendments to the conſtitution.

be propoſed by the Congreſs; Provided, that no amendment, which may be made prior to the year one thouſand eight hundred and eight, ſhall, in any manner, affect the firſt and fourth clauſes in the ninth ſection of the firſt article; and that no ſtate, without its conſent, ſhall be deprived of its equal ſuffrage in the Senate.

ARTICLE VI.

Former debts and engagements to remain valid.

All debts contracted and engagements entered into, before the adoption of this conſtitution, ſhall be as valid againſt the United States under this conſtitution, as under the Confederation.

This Conſtitution, the laws & treaties of the U. S. to be the ſupreme law of the land.

This conſtitution, and the laws of the United States which ſhall be made in purſuance thereof, and all treaties made, or which ſhall be made, under the authority of the United States, ſhall be the ſupreme law of the land; and the judges in every ſtate ſhall be bound thereby; any thing in the Conſtitution or laws of any ſtate to the contrary notwithſtanding.

Oath to ſupport the conſtitution.

The Senators and Repreſentatives before mentioned, and the members of the ſeveral ſtate legiſlatures, and all executive and judicial officers, both of the United States and of the ſeveral ſtates, ſhall be bound by oath or affirmation to ſupport this Conſtitution: but no religious

There ſhall be no religious teſt.

teſt ſhall ever be required as a qualification to any office or public truſt under the United States.

ARTICLE VII.

When this Conſtitution ſhall take effect.

The ratification of the Conventions of nine ſtates, ſhall be ſufficient for the eſtabliſhment of this Conſtitution between the ſtates ſo ratifying the ſame.

Done in Convention, by the unanimous conſent of the ſtates preſent, the ſeventeenth day of September, in the year of our Lord one thouſand ſeven hundred and eighty-ſeven, and of the Independence of the United States of America, the twelfth. In witneſs whereof, we have hereunto ſubſcribed our names.

Go: WASHINGTON, Preſidt.
and deputy from Virginia.

New-Hampſhire.
John Langdon,
Nicholas Gilman.

Maſſachuſetts.
Nathaniel Gorham,
Rufus King.

Connecticut.
Wm. Saml. Johnſon,
Roger Sherman.

New-York.
Alexander Hamilton.

New-Jerſey.
Wil. Livingſton,
David Brearley,
Wm. Paterſon,
Jona. Dayton.

Pennſylvania.
B. Franklin,
Thomas Mifflin,
Rob. Morris,
Geo. Clymer,
Thos. Fitzſimons,
Jared Ingerſoll,
James Wilſon,
Gouv. Morris.

Delaware.
Geo. Read,
Gunning Bedford, junr.
John Dickinſon,
Richard Baſſett,
Jaco. Broom.

Maryland.
James M'Henry,
Dan. of St. Thos. Jenifer,
Dan. Carroll.

Virginia.
John Blair,
James Madiſon, jr.

North-Carolina.
Wm. Blount,
Richd. Dobbs Spaight,
Hu. Williamſon.

South-Carolina.
J. Rutledge,
Charles Cotesworth Pinckney,
Charles Pinckney,
Pierce Butler.

Georgia.
William Few,
Abr. Baldwin.

Atteſt, *William Jackſon*, Secretary.

In Convention, *Monday*, *September* 17th, 1787.

Preſent—The ſtates of New-Hampſhire, Maſſachuſetts, Connecticut, Mr. Hamilton from New-York; New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

RESOLVED,

THAT the preceding Conſtitution be laid before the United States in Congreſs aſſembled, and that it is the opinion of this Con-

vention, that it ſhould afterwards be ſubmitted to a Convention of Delegates, choſen in each ſtate by the people thereof, under the recommendation of its legiſlature, for their aſſent and ratification; and that each convention, aſſenting to, and ratifying the ſame, ſhould give notice thereof to the United States, in Congreſs aſſembled.

Resolved, That it is the opinion of this Convention, that as ſoon as the Conventions of nine ſtates ſhall have ratified this Conſtitution, the United States in Congreſs aſſembled ſhould fix a day on which electors ſhould be appointed by the ſtates which ſhall have ratified the ſame, and a day on which the electors ſhould aſſemble to vote for the Preſident, and the time and place for commencing proceedings under this Conſtitution: That after ſuch publication the electors ſhould be appointed, and the Senators and Repreſentatives elected: That the electors ſhould meet on the day fixed for the election of the Preſident, and ſhould tranſmit their votes, certified, ſigned, ſealed and directed, as the Conſtitution requires, to the Secretary of the United States, in Congreſs aſſembled; that the Senators and Repreſentatives ſhould convene at the time and place aſſigned; that the Senators ſhould appoint a Preſident of the Senate, for the ſole purpoſe of receiving, opening and counting the votes for Preſident; and, that after he ſhall be choſen, the Congreſs, together with the Preſident, ſhould, without delay, proceed to execute this Conſtitution.

By the unanimous order of the Convention,

Go: WASHINGTON, Preſidt.

W. Jackson, *Secretary.*

In Convention, *September* 17th, 1787.

SIR,

WE have now the honor to ſubmit to the conſideration of the United States in Congreſs aſſembled, that Conſtitution which has appeared to us the moſt adviſeable.

The friends of our country have long ſeen and deſired, that the power of making war, peace and treaties, that of levying money, and regulating commerce, and the correſpondent executive and judicial authorities, ſhould be fully and effectually veſted in the general government of the Union: but the impropriety of delegating ſuch extenſive truſt to one body of men, is evident—Hence reſults the neceſſity of a different organization.

It is obviouſly impracticable in the federal government of theſe ſtates, to ſecure all rights of independent ſovereignty to each, and yet provide for the intereſt and ſafety of all—Individuals entering into ſociety muſt give up a ſhare of liberty to preſerve the reſt. The magnitude of the ſacrifice muſt depend as well on ſituation and circumſtance, as on the object to be obtained. It is at all times difficult to draw with preciſion the line between thoſe rights which muſt be ſurrendered, and thoſe which may be reſerved; and on the preſent occaſion this difficulty was increaſed by a difference among the ſeveral ſtates as to their ſituation, extent, habits, and particular intereſts.

In all our deliberations on this ſubject, we kept ſteadily in our view, that which appears to us the greateſt intereſt of every true American, the conſolidation of our union, in which is involved our proſperity, felicity, ſafety, perhaps our national exiſtence. This important conſideration, ſeriouſly and deeply impreſſed on our minds, led each ſtate in the Convention to be leſs rigid on points of inferior magnitude, than

might have been otherwiſe expected; and thus the Conſtitution, which we now preſent, is the reſult of a ſpirit of amity, and of that mutual deference and conceſſion which the peculiarity of our political ſituation rendered indiſpenſible.

That it will meet the full and entire approbation of every ſtate, is not, perhaps, to be expected; but each will doubtleſs conſider, that had her intereſt been alone conſulted, the conſequences might have been particularly diſagreeable or injurious to others: that it is liable to as few exceptions as could reaſonably have been expected, we hope and believe; that it may promote the laſting welfare of that country ſo dear to us all, and ſecure her freedom and happineſs, is our moſt ardent wiſh. With great reſpect, we have the honor to be, Sir, your excellency's moſt obedient and humble ſervants,

Go: WASHINGTON, Preſidt.

By unanimous order of the Convention.

His Excellency the Preſident of Congreſs.

CONGRESS OF THE UNITED STATES,

BEGUN AND HELD AT THE CITY OF NEW-YORK, ON WEDNESDAY THE FOURTH OF MARCH, ONE THOUSAND SEVEN HUNDRED AND EIGHTY-NINE.

The Conventions of a number of States, having, at the time of their adopting the Conſtitution, expreſſed a deſire, in order to prevent miſconſtruction or abuſe of its powers, that further declaratory and reſtrictive clauſes ſhould be added: And, as extending the ground of public confidence in the government, will beſt inſure the beneficent ends of its inſtitution:

RESOLVED *by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled, two-thirds of both Houſes concurring*, That the following articles be propoſed to the legiſlatures of the ſeveral ſtates, as amendments to the Conſtitution of the United States, all or any of which articles, when ratified by three-fourths of the ſaid legiſlatures, to be valid to all intents and purpoſes, as part of the ſaid Conſtitution; viz.

Articles in addition to, and amendment of, the Conſtitution of the United States of America, propoſed by Congreſs, and ratified by the Legiſlatures of the ſeveral States, purſuant to the fifth article of the original Conſtitution.

ARTICLE I.

AFTER the firſt enumeration required by the firſt article of the Conſtitution, there ſhall be one repreſentative for every thirty thouſand, until the number ſhall amount to one hundred, after which the proportion ſhall be ſo regulated by Congreſs, that there ſhall be not leſs than one hundred repreſentatives, nor leſs than one repreſentative for every

forty thouſand perſons, until the number of repreſentatives ſhall amount to two hundred; after which the proportion ſhall be ſo regulated by Congreſs, that there ſhall be not leſs than two hundred repreſentatives, nor more than one repreſentative for every fifty thouſand perſons.

ARTICLE II.

No law varying the compenſation for the ſervices of the Senators and Repreſentatives, ſhall take effect, until an election of Repreſentatives ſhall have intervened.

ARTICLE III.

Congreſs ſhall make no law reſpecting an eſtabliſhment of religion, or prohibiting the free exerciſe thereof; or abridging the freedom of ſpeech, or of the preſs; or the right of the people peaceably to aſſemble, and to petition the government for a redreſs of grievances.

ARTICLE IV.

A well regulated militia being neceſſary to the ſecurity of a free ſtate, the right of the people to keep and bear arms ſhall not be infringed.

ARTICLE V.

No ſoldier ſhall in time of peace be quartered in any houſe, without the conſent of the owner; nor in time of war, but in a manner to be preſcribed by law.

ARTICLE VI.

The right of the people to be ſecure in their perſons, houſes, papers and effects, againſt unreaſonable ſearches and ſeizures, ſhall not be violated, and no warrants ſhall iſſue, but upon probable cauſe, ſupported by oath or affirmation, and particularly deſcribing the place to

be ſearched, and the perſons or things to be ſeized.

ARTICLE VII.

No perſon ſhall be held to anſwer for a capital or otherwiſe infamous crime, unleſs on a preſentment or indictment of a grand jury, except in caſes ariſing in the land or naval forces, or in the militia when in actual ſervice in time of war or public danger; nor ſhall any perſon be ſubject for the ſame offence to be twice put in jeopardy of life or limb; nor ſhall be compelled, in any criminal caſe, to be witneſs againſt himſelf, nor be deprived of life, liberty, or property, without due proceſs of law; nor ſhall private property be taken for public uſe without juſt compenſation.

ARTICLE VIII.

In all criminal proſecutions the accuſed ſhall enjoy the right to a ſpeedy and public trial, by an impartial jury of the ſtate and diſtrict wherein the crime ſhall have been committed, which diſtrict ſhall have been previouſly aſcertained by law, and to be informed of the nature and cauſe of the accuſation, to be confronted with the witneſſes againſt him; to have compulſory proceſs for obtaining witneſſes in his favour, and to have the aſſiſtance of counſel for his defence.

ARTICLE IX.

In ſuits at common law, where the value in controverſy ſhall exceed twenty dollars, the right of trial by jury ſhall be preſerved, and no fact, tried by a jury, ſhall be otherwiſe re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE X.

Exceſſive bail ſhall not be required, nor exceſſive fines impoſed, nor cruel and unuſual puniſhments inflicted.

ARTICLE XI.

The enumeration in the Conſtitution, of certain rights, ſhall not be conſtrued to deny or diſparage others retained by the people.

ARTICLE XII.

The powers not delegated to the United States by the Conſtitution, nor prohibited by it to the ſtates, are reſerved to the ſtates reſpectively, or to the people.

THIRD CONGRESS of the United States.

At the ſecond ſeſſion, begun and held at the city of Philadelphia, in the ſtate of Pennſylvania, on Monday the ſecond of December, 1793.

RESOLVED *by the Senate and Houſe of Repreſentatives of the United States of America, in Congreſs aſſembled, two-thirds of both Houſes concurring*, That the following article be propoſed to the legiſlatures of the ſeveral ſtates, as an amendment to the Conſtitution of the United States; which when ratified by three-fourths of the ſaid legiſlatures, ſhall be valid as part of the ſaid Conſtitution, viz:

The judicial power of the United States ſhall not be conſtrued to extend to any ſuit in law or equity, commenced or proſecuted againſt one of the United States by citizens of another ſtate, or by citizens or ſubjects of any foreign ſtate.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Repreſentatives.
JOHN ADAMS,
Vice-President of the United States, and President of the Senate.

Atteſt,
JOHN BECKLEY,
Clerk of the House of Repreſentatives.
SAM. A. OTIS,
Secretary of the Senate.

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